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No. 90

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. JACKSON of Illinois).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 3, 2008.

I hereby appoint the Honorable JESSE L. JACKSON, Jr., to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Rabbi Felipe Goodman, Temple Beth Shalom, Las Vegas, Nevada, offered the following prayer:

Our God and God of our ancestors, God of Compassion, God of Justice, God of Peace, we ask for Your blessing for this House of Representatives, for our country, and for all our leaders. Grant them, O God, the ability to lead us with true understanding of Your vision so that this land under Your providence be an influence for good throughout the world. Protect the men and women of our Armed Forces who stand in harm's way so that we may enjoy the blessings of freedom and liberty. May it be Your will that they speedily return in full physical and spiritual health to their families and loved ones.

Let us remember, O God, where we came from so that we may never forget the destination of our journey as a Nation. Let us be always mindful that we are all children of immigrants. Give us the wisdom to understand what the responsibility of fighting oppression, fighting poverty, and injustice really means. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Nevada (Ms. BERKLEY) come forward and lead the House in the Pledge of Allegiance.

Ms. BERKLEY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING RABBI FELIPE GOODMAN

The SPEAKER pro tempore. Without objection, the gentlewoman from Nevada (Ms. BERKLEY) is recognized for 1 minute.

There was no objection.

Ms. BERKLEY. Mr. Speaker, it gives me great pleasure to welcome Rabbi Felipe Goodman to the United States Congress. His credentials are as impressive as his spirit and his commitment. I know because not only is he my rabbi, he's my close personal friend.

Born in Mexico City, he is an alumni of Mexico City's University of the New World and obtained his master's degree from the Jewish Theological Seminary. Ordained in 1996, Rabbi Goodman now leads one of the most vibrant and fastest-growing conservative congregations in the United States, Temple Beth Shalom in my hometown of Las Vegas, Nevada.

In his 10 years of service, his congregation has grown from 100 to more than 700 families. He has built an entire new campus and is building a new home for its thriving school.

On January 5, 2007, 1 day after his 40th birthday, Rabbi Goodman became a United States citizen.

Rabbi Goodman is the co-author of "Hagadah de Pesaj," which is the most widely used edition of The Pesach Hagadah used in Latin America.

Singled-out by international leaders for both his ideas and hard work, Felipe became vice president of the World Union of Jewish Students.

He is one of 12 members of The Rabbinic Cabinet of The Chancellor of The Jewish Theological Seminary and serves as a member of The Joint Placement Commission of The Rabbinical Assembly, The United Synagogue and JTS. The Seminary recently appointed him to the Joint Retirement Board of The Conservative Movement. He's a former member of The Executive Council of The Rabbinical Assembly and its Nominating Committee.

But more than any degree or honor or appointment, he is an important, warm, caring, and respected spiritual and religious leader in Las Vegas, Nevada, a devoted husband to Liz; a wonderful father to Yoshua, Daniela, and Ariela.

I am honored to have him here with us in the House today and honored to call Rabbi Felipe Goodman my rabbi and my friend.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Maryland (Mr. WYNN), the whole number of the House is 434.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills and joint resolution were signed:

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H4835

by the Speaker on Thursday, May 22, 2008:

H.R. 2356, to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day

H.R. 2517, to amend the Missing Children's Assistance Act to authorize appropriations; and for other purposes

H.R. 4008, to amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act

S. 2829, to make technical corrections to section 1244 of the National Defense Authorization Act for Fiscal Year 2008, which provides special immigrant status for certain Iraqis, and for other purposes

S. 3029, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes

S. 3035, to temporarily extend the programs under the Higher Education Act of 1965

S.J. Res. 17, directing the United States to initiate international discussions and take necessary steps with other Nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean

by Speaker pro tempore HOYER on Tuesday, May 27, 2008:

H.R. 6081, to amend the Internal Revenue Code of 1986 to provide benefits for military personnel, and for other purposes

OUR TROOPS NEED FUNDING

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, Congress adjourned for Memorial Day having failed to pass an emergency troop funding bill that our military says is vital to successful operations in Iraq and Afghanistan, including pay for our brave men and women in uniform.

Because the majority refuses to bring a clean bill to the floor, the military has announced that they will shift funding from one priority to another in order to meet the needs of our troops and civilian military employees. It is disappointing that when our military needs money to protect American families, the majority refuses to appropriate the funding without tying on billions more in unrelated spending.

On behalf of my constituents, many of whom serve proudly in the military, we need to work together for a clean emergency supplemental bill to be brought to the floor immediately for consideration. Our Nation is at risk with a delay in military funding, a failure to renew FISA, and limits on our energy independence.

In conclusion, God bless our troops, and we will never forget September the 11th.

THE LITTLE FELLOW FROM IRAN

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, the little fellow from Iran, Mahmoud Ahmadinejad, is ranting and saber rattling again against Israel and the United States.

The L.A. Times reports the dictator said, "The Zionist regime of Israel . . . is about to die and will soon be erased from the scene". And, "The time for the fall of the satanic power of the United States has come and the countdown to annihilation . . . has started."

The devil of the desert is preaching hate and murder in the name of radical Islam. Throughout history more people have been murdered, pillaged, tortured, and plundered in the name of religion than any other reason.

With Iran's dictator's involvement in supplying aid against the United States in Iraq, his support of Hezbollah, and his desire to have nuclear weapons to use against Israel, the world of nations must not diminish this loose cannon's evil ambition.

Freedom-loving people of all nations and religions must see the dictator as a menace. Hopefully, the people of Iran will replace their trigger-happy leader with a regime that wants peace.

In the meantime Ahmadinejad should never doubt the United States' resolve for a safe and secure Israel. The U.S. will do whatever necessary to keep the flame of liberty burning at home and in the Middle East, even if the little fellow doesn't like it.

And that's just the way it is.

COMMENDING WALTER LUTHERAN HIGH SCHOOL, AUSTIN POLYTECHNICAL HIGH SCHOOL, AND RICHARD T. CRANE HIGH SCHOOL

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, over the weekend I had the opportunity to visit three schools in my congressional district, and I want to take the opportunity to commend and congratulate all three of them.

The Walter Lutheran High School in Melrose Park, Illinois, where I attended their graduation Sunday, and I was pleased that my nephew Dante Davis was one of the graduates; then the Austin Polytechnical High School, which focuses on manufacturing, in Chicago yesterday; and last night I had a town hall meeting at the Richard T. Crane High School in Chicago on stopping school violence.

All of them are outstanding, and I commend them.

ENERGY

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, since 2006 the Democrats have been completely in control of Congress. The Democrat leadership continues to put a roadblock in the way of accessing American oil. Gas prices have doubled in the past year. At the station down the street from my home, gas is now over \$4 a gallon.

House Republicans believe in increasing production of American-made energy. Vast untapped American energy resources are currently under lock and key and off-limits. American energy resources can make our Nation more secure and less dependent on foreign oil.

House Republicans believe not only in technologies like wind, solar, and biomass but that we ought to make use of the billions of barrels of oil in Alaska, off the deep waters of the Outer Continental Shelf, and on Federal lands. We can do this in an environmentally sensitive way. And we should eliminate the red tape it takes to build a new oil refinery.

We should develop American-made energy.

HOW TO BRING DOWN THE COST OF GAS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today gas prices are hovering around \$4 a gallon, and good legislation that would help ease the pain at the pump languishes due to congressional inaction. Washington is just not working for average taxpayers in North Carolina.

Recently, I've seen some good ideas to deal with high gas prices, but we can't seem to get them brought to the floor for a vote.

For example, I'm a cosponsor of Mr. YOUNG's American Energy Independence and Price Reduction Act, which addresses both sides of this issue. It would tap domestic oil in an environmentally sensitive way and then use the tens of billions of dollars of Federal revenue to invest in 18 different existing alternative energy programs, from wind energy to water energy, all without raising taxes.

How high will the Pelosi premium have to get before we vote on common-sense legislation like this? This bill proves that we can bring down the price of gas while investing in the energy of the future without raising taxes on America's working families.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 23, 2008.

Hon. NANCY PELOSI,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 23, 2008, at 10:13 a.m.:

That the Senate passed S. 1965.

That the Senate passed S. 2420.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House
(By Robert F. Reeves, Deputy Clerk).

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 2, 2008.

Hon. NANCY PELOSI,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 2, 2008, at 4:53 p.m.:

That the Senate passed S. 2062.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 3, 2008.

Hon. NANCY PELOSI,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 3, 2008, at 11:22 a.m.:

Appointments:

Mexico-United States Interparliamentary Group.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

SUPPORTING NATIONAL MEN'S HEALTH WEEK

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 138) supporting National Men's Health Week, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 138

Whereas despite the advances in medical technology and research, men continue to live an average of almost 6 years less than women and African-American men have the lowest life expectancy;

Whereas all 10 of the 10 leading causes of death, as defined by the Centers for Disease Control and Prevention, affect men at a higher percentage than women;

Whereas between ages 45-54, men are 3 times more likely than women to die of heart attacks;

Whereas men die of heart disease at almost twice the rate of women;

Whereas men die of cancer at almost one and a half times the rate of women;

Whereas testicular cancer is one of the most common cancers in men aged 15-34, and when detected early, has a 95 percent survival rate;

Whereas the number of cases of colon cancer among men will reach over 55,000 in 2007, and almost half will die from the disease;

Whereas the likelihood that a man will develop prostate cancer is 1 in 6;

Whereas the number of men contracting prostate cancer will reach over 218,890 in 2007, and almost 27,050 will die from the disease;

Whereas African-American men in the United States have the highest incidence in the world of prostate cancer;

Whereas significant numbers of male-related health problems, such as prostate cancer, testicular cancer, infertility, and colon cancer, could be detected and treated if men's awareness of these problems was more pervasive;

Whereas more than one-half the elderly widows now living in poverty were not poor before the death of their husbands, and by age 100 women outnumber men 8 to 1;

Whereas educating both the public and health care providers about the importance of early detection of male health problems will result in reducing rates of mortality for these diseases;

Whereas appropriate use of tests such as Prostate Specific Antigen (PSA) exams, blood pressure screens, and cholesterol screens, in conjunction with clinical examination and self-testing for problems such as testicular cancer, can result in the detection of many of these problems in their early stages and increases in the survival rates to nearly 100 percent;

Whereas women are 100 percent more likely to visit the doctor for annual examinations and preventive services than men;

Whereas men are less likely than women to visit their health center or physician for regular screening examinations of male-related problems for a variety of reasons, including fear, lack of health insurance, lack of information, and cost factors;

Whereas National Men's Health Week was established by Congress and first celebrated in 1994 and urged men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illness;

Whereas the Governors of over 45 States issue proclamations annually declaring Men's Health Week in their States;

Whereas since 1994, National Men's Health Week has been celebrated each June by dozens of States, cities, localities, public health departments, health care entities, churches, and community organizations throughout the Nation, that promote health awareness events focused on men and family;

Whereas the National Men's Health Week website has been established at www.menshealthweek.org and features Governors' proclamations and National Men's Health Week events;

Whereas men who are educated about the value that preventive health can play in prolonging their lifespan and their role as productive family members will be more likely to participate in health screenings;

Whereas men and their families are encouraged to increase their awareness of the importance of a healthy lifestyle, regular exercise, and medical checkups; and

Whereas June 9 through 15, 2008, is National Men's Health Week, which has the purpose of heightening the awareness of preventable health problems and encouraging early detection and treatment of disease among men and boys: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) the Congress supports the annual National Men's Health Week; and

(2) requests that the President of the United States issue a proclamation calling upon the people of the United States and interested groups to observe National Men's Health Week with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from Illinois (Mr. DAVIS) and the gentleman from North Carolina (Ms. Foxx) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

□ 1415

GENERAL LEAVE

Mr. DAVIS of Illinois. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H. Con. Res. 138, as amended, which expresses Congress's support of Men's Health Week, which is designed to raise awareness of men's health issues and the importance of preventative health care in order to improve the lifespan of American men.

H. Con. Res. 138, which was introduced by the gentleman from Maryland, Representative ELIJAH CUMMINGS, on May 1, 2007, was amended and reported from the Oversight Committee on May 15, 2008, before being passed by voice vote. The measure has the support and sponsorship of 59 Members of Congress, and expresses support for increased medical awareness that will

improve the health and well-being of American men.

According to the Centers for Disease Control and Prevention, all of the 10 leading causes of death among Americans, such as cancer and heart disease, affect our Nation's men at a higher rate than our women. On average, the male life expectancy in America is 6 years lower than the life expectancy of their female counterparts. A leading cause of this disparity is that men are 100 percent less likely to visit a doctor for screening and preventative medical checkups. This reluctance is tragic, as many life-threatening conditions are mitigated when found through early detection.

Congress recognized the need to encourage preventative medicine by increasing health awareness in American men when it established National Men's Health Week in 1994. Now, 14 years later, this commemorative week has helped to raise awareness and lower illness among American men.

Therefore, Mr. Speaker, I urge the swift passage of this measure, as it will continue to encourage the men of our country to take a more active and preventative role in safeguarding their health, and, therefore, the health of America.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of this resolution promoting National Men's Health Week. Across this Nation, men are reminded daily about the benefits of living a healthy life. Whether through exercise, a balanced diet, or regular visits to the doctor, these simple steps can lead to longer, more vibrant lives. Sadly, many men still neglect the basic preventative measures and often fail to realize the ripple effect their declining health can have on those around them.

It is no secret that men have a shorter lifespan than women. Of the 10 leading causes of death in this country, men lead women in all 10. Yes, some of this can be attributed to lifestyle differences. Men are prone to engage in heavier drinking, smoking, and risky behaviors. But the sad reality is that men all too often neglect to seek out the medical help they need. Studies have shown that men are significantly less likely to visit the doctor than women are.

Congress and the President established National Men's Health Awareness Week in May 1994. They chose the week leading up to Father's Day, when our focus on the male figures in our life is greatest, to bring national attention to the critical health issues facing men and to highlight the preventative measures that are necessary and available.

Early detection is vital, and in many cases, increases chances for survival. Men's Health Awareness Week helps bring this information to light and highlights the proactive steps that men can take to improve their chances for a

long, healthy life. The benefits of a more proactive approach to men's health extends not only to the individual, but to their families, friends, society, and the Nation.

Better long-term health means fewer medical expenses for families, taxpayers, and employers. When women outlive their spouses, often by more than half a decade, they face the financial, emotional, and physical burden of living out their remaining years in solitude. This can ultimately place undue stress on a family or taxpayers.

Men's Health Awareness Week helps broaden our understanding of the serious health risks facing men and the simple steps we can all take to help mitigate their effects. So I urge my colleagues not only to support this resolution, but to honor its message. If you're a man, go to the doctor. If you're a woman, encourage your husband, brother, son, and friends to do so. Take a walk, go for a jog, or eat a piece of fruit. After all, we all know that an apple a day keeps the doctor away.

I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Idaho (Mr. SALLI).

Mr. SALLI. I thank the gentlewoman. Today, I rise in support of H. Con. Res. 138, supporting National Men's Health Week. Not only should we be recognizing this important health issue this week, but Congress should also be addressing other issues critical to the American people, especially rising fuel prices.

As Americans across this country pay an average of \$3.98 per gallon, these prices hit families, and particularly school children. Just yesterday, the Calhoun Times reported in Georgia that, and I quote, "High gas prices hit high school sports. With gas prices soaring to record heights, the cost of taking teams on the road has become a looming storm on the horizon of high school athletics that has led some to worry what the future may have in store. All across the country, people are dealing with the pinch of high gas prices. With high school teams' main mode of transportation still the average school bus, which runs on diesel, costs are even higher."

This is unacceptable, Mr. Speaker. We need to act now to lower gas prices.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve.

Ms. FOXX. Mr. Speaker, I urge my colleagues to support this resolution, and I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, as we observe and promote Men's Health Week, I am pleased to note that both the Illinois Department of Public Health and the City of Chicago's Department of Public Health, under able leadership of their commissioners, place great emphasis on men's health, and have two activities coming up this

week; Saturday at Malcolm X College, and next week, the day before Father's Day, at Malcolm X Community College, where the focus is men's health.

I urge passage of this measure.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 138, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING THE STATE OF MINNESOTA'S 150TH ANNIVERSARY.

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 923) recognizing the State of Minnesota's 150th anniversary.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 923

Whereas Minnesota was established as a territory on March 2, 1849, and became the 32nd State on May 11, 1858;

Whereas Minnesota is also known as the "Gopher State", the "North Star State", and the "Land of 10,000 Lakes";

Whereas Minnesota's name comes from the Dakota word "minnesota", meaning "water that reflects the sky", and Native Americans continue to play a defining role in Minnesota's proud heritage;

Whereas the cities of Minneapolis and St. Paul were established after the completion of nearby Fort Snelling, a frontier outpost and training center for Civil War soldiers;

Whereas more than 338,000,000 tons of Minnesota iron ore were shipped between 1940 and 1945 that contributed to the U.S. military victory in World War II, and an additional 648,000,000 tons of iron ore were shipped between 1945 and 1955 that boosted post-war economic expansion in the U.S.;

Whereas in 1889, the Saint Mary's Hospital, now known as the Mayo Clinic, opened its doors to patients in Rochester, Minnesota, and is now known worldwide for its cutting-edge care;

Whereas Minnesota continues to be a leader in innovation and is currently home to more than 35 Fortune 500 Companies;

Whereas Minnesota houses over 30 institutions of higher education including the University of Minnesota, a world-class research university where the first open heart surgery and first bone marrow transplant was performed in the United States;

Whereas farmland spans over half of Minnesota's 54 million acres and the agriculture industry is Minnesota's second largest job market, employing nearly 80,000 farmers;

Whereas Minnesota is the Nation's number one producer of sugarbeets and turkeys;

Whereas Minnesota is a national leader in the production and use of renewable energy,

which helps our Nation reduce its dependency on foreign sources of oil;

Whereas the Mall of America located in Bloomington, Minnesota, is the Nation's largest retail and entertainment complex, spanning 9,500,000 square feet and providing more than 11,000 jobs;

Whereas Minnesota has 90,000 miles of lake and river shoreline, which includes the coast of Lake Superior, the largest of North America's Great Lakes;

Whereas the Minneapolis-St. Paul area is nationally recognized for its parks, museums, and cultural events; and

Whereas the people of Minnesota have a timeless reputation of compassion, strength, and determination: Now, therefore, be it

Resolved, That the House of Representatives congratulates the State of Minnesota on its 150th anniversary and the contributions it continues to make to America's economy and heritage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H. Res. 923, which recognizes the 150th anniversary of the State of Minnesota and highlights its contributions to America's economy and heritage.

H. Res. 923 was introduced by our colleague, Congresswoman MICHELLE BACHMANN of Minnesota, on January 16, 2008, and was considered by and reported from the Oversight Committee on May 1, 2008, by voice vote. This measure has the support and cosponsorship of 120 Members of Congress, including all of the Members from the State of Minnesota.

On March 2, 1849, Minnesota was established as a territory, and it became the 32nd State on March 11, 1858. Also known as the Gopher State, the North Star State, and the Land of 10,000 Lakes, Minnesota's name comes from the Dakota word "minnesota," meaning "water that reflects the sky."

Minnesota has been and continues to be a leader in innovation in science and education. It is home of the Mayo Clinic, which is known for its cutting-edge medical work, and over 30 institutions of higher education, including the University of Minnesota, a world-class research university, which performed the first open heart surgery and the first bone marrow transplant in America. I should also mention that Minnesota is currently home to more than 35 Fortune 500 companies and is leading the Nation in the production and use of renewable energy.

So, Mr. Speaker, I would like to thank the gentlewoman from Minnesota for sponsoring the measure at hand. Given the 150th anniversary of Minnesota's statehood and the enormous contributions Minnesota has made to our Nation and the world, I urge passage of this resolution.

I reserve the balance of my time.

Ms. FOXX. I yield myself such time as I may consume.

Mr. Speaker, this resolution seeks to commemorate the 150th anniversary of Minnesota becoming a State. In February of 1857, Congress passed an enabling act that defined the State boundaries and authorized the establishment of a State government for the people of Minnesota. Among other things, it called for a convention to establish a State constitution. As is normal in a democracy, the Democrats and Republicans could not come to a final agreement on language, which resulted in the drafting of two distinct constitutions.

Ultimately, a conference committee of five members from each party was formed in order to work out the differences and create one constitution both sides could agree to. This happened in August of 1857. Although neither party agreed to sign along with members of the other party, a consensus on the language was agreed upon and two copies were made and signed. Minnesota's State constitution was born.

A few months later, on May 11, 1858, President James Buchanan signed legislation granting statehood to Minnesota, making it the 32nd State in the Union. Until that point, Minnesota held the status of a territory for more than 9 years. Henry Hastings Sibley, the State's first Governor, famously uttered Minnesota is finally free "from the trammels of territorial vassalage."

On this occasion of the sesquicentennial, it is important that we recognize all that Minnesota has to offer. It is truly a time of celebration for the 5 million-plus residents of Minnesota, and there is a lot to celebrate. Its geography and terrain are among the most precious and beautiful our Nation has to offer. It is home to the headwaters of the mighty Mississippi River, which has been so crucial to the development of the economic viability of our Nation.

Minnesota is a land rich in natural resources and remains among the leaders in agriculture and iron production. Minnesota's farming industry feeds and nourishes many of our Nation's citizens today. Minnesotans are known to be a people with a sense of pride in their history and tradition. Many Minnesotans have had profound impact on the lives of people all across our Nation.

□ 1430

For instance, the founders of the world-renowned Mayo Clinic, Dr. William Mayo and his two sons, William and Charles, began their practice in Minnesota.

Minnesota is also the birthplace of one of America's greatest literary figures and favorite authors, F. Scott Fitzgerald. His literary works have reached millions and continue to have a great impact on our youth. Fitzgerald's "The Great Gatsby" is regarded as one of the great American novels.

In conclusion, the State of Minnesota is one that is rich in nature, resources, and, most importantly, in people and heritage. For this reason, I ask my colleagues to support H. Res. 923, recognizing the State of Minnesota's 150th anniversary.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Idaho (Mr. SALI).

Mr. SALI. Mr. Speaker, I thank the gentlewoman.

I rise in support of H. Res. 923, recognizing the 150th anniversary of the great State of Minnesota. While I rise in support and recognition of this anniversary, I also rise to remind my colleagues that we must address rising fuel prices.

Some have blamed rising fuel prices on those who own and manage big oil companies. In a recent study, however, Robert Shapiro, Undersecretary of Commerce for Economic Affairs under President Bill Clinton, found that the vast majority of oil and natural gas company shares are owned broadly by middle-income Americans through mutual funds, pension funds and individual retirement accounts, while a mere 1.5 percent of the shares of public oil companies are owned by company executives. That means that when Congress levies additional taxes on oil companies, the American public will pay for that tax in one of two ways; either through their pension or mutual funds, or by paying a higher price at the pump.

Mr. Speaker, increasing taxes is not the answer to rising fuel prices.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve.

Ms. FOXX. Mr. Speaker, I yield such time as she may consume to the sponsor of this resolution, my colleague from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Mr. Speaker, I thank the gentlewoman from North Carolina for yielding to me.

This is a wonderful, delightful resolution to be able to speak on this afternoon. It is the State of Minnesota's 150th birthday. We have had a big party all year, we are going to continue to have a big party all year, and it is my honor to be able to present this resolution before our distinguished body and also to let the American people know the entire Minnesota delegation has joined me on this resolution. All Democrats, all Republicans, we are united in this great party of celebrating Minnesota's 150th birthday.

Mr. Speaker, as this resolution's author, I rise to support House Resolution 923. As Minnesota turns a very proud 150 years old, we are no worse for the wear as a State, and I am very honored to recognize the contributions that Minnesota has made to the United States economy and to our great heritage of freedom and prosperity.

On March 3rd, 1849, Minnesota was established as a United States territory as part of the Northwest Territory, and later we became the 32nd State in this great country, on May 11, 1858.

Minnesota is now home to over 5 million very lucky people. Minnesota is renowned for our welcoming communities, our high quality schools and our valuable natural resources. Minnesotans take advantage of those resources every weekend that we can, our beautiful lakes, our forests, our prairies. "Minnesota Nice" is more than a saying for us; it is our way of life, and we welcome you to come and enjoy our hospitality any time you get to our great State of Minnesota.

We are also known as the Gopher State. We are also known as the North Star State and the Land of 10,000 Lakes. But, truth be told, we actually have over 15,000 lakes in our great State. Our name comes from the Dakota word "minnesota," which means "water that reflects the sky," in other words, sky blue waters. And it is that, and more.

Native Americans continue to play an extremely important role in Minnesota and a defining role in our very proud heritage. The influence of the Native Americans can be seen not only in the names of our local towns, our local lakes and our natural landmarks, but also in the enduring culture of conservation of the land and the great love that every Minnesotan shares and our bond with the outdoors.

It was in 1889 that the Saint Mary's Hospital, now known as the world famous Mayo Clinic, opened its doors to patients in Rochester, Minnesota. They are now known worldwide for their cutting-edge care, and quite often in the news we will hear of yet one more world leader who makes their way to little Rochester, Minnesota, to receive what we know in Minnesota is the finest health care system in the United States.

Minnesota also houses, Mr. Speaker, over 30 institutions of higher education. Education is a very strong value in the State of Minnesota, including the world renowned University of Minnesota, a world class research university of which we are all extremely proud and where the Nation's and world's first open heart surgery was performed and also the first bone marrow transplant was performed in the United States.

Minnesota continues to be a leader in innovation. In fact, Minnesota is currently home to more than 35 Fortune 500 companies. Yes, we are the State, Mr. Speaker, that gave you SPAM, and

we are the State that gave you the Post-it note.

But our rise in corporate and technological prominence has not compromised our agricultural background. Farmland spans over half of Minnesota's 54 million acres. My father was born on a farm and grew up on a farm, and farming is a way of life for many of our Minnesota people. The ag industry is a jewel in Minnesota and it is Minnesota's second largest job market, employing nearly 80,000 farmers that serve to feed the world.

At a time when energy costs and production are dominating the headlines, Minnesota is a national leader in the protection and use of renewable energy. We are very proud of this fact, and it helps our Nation reduce our dependence on foreign oil.

For 150 years, Mr. Speaker, Minnesota has attracted a very special caliber of people, marked by our spirit and by our character. The citizens of the State of Minnesota are dedicated to our families. Families are very important. Faith is very important in our State, our communities, and also in our Nation. We are people of faith. We are people of charity. We are people of hope and dedication, love and compassion. We have a very high rate of giving in the State of Minnesota.

Mr. Speaker, I hope you and my fellow colleagues will join me in recognizing the rich history and the substantial contributions that Minnesota and Minnesotans have made to this great Nation. We have a lot to be proud of, Mr. Speaker, and this legislation marks yet one more happy milestone in Minnesota's long history of success.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to one of the cosponsors of this resolution, Representative WALZ from Minnesota.

Mr. WALZ of Minnesota. Thank you, Mr. DAVIS, for managing the bill. A special thank you to my colleague from a little further upstate in Minnesota, Mrs. BACHMANN. Thank you for your kind words. Your pride and enthusiasm for our State is evident, and I think all of us who live there understand why.

I, too, rise to ask my colleagues to join me in congratulating the great State of Minnesota, the 32nd State. It is our sesquicentennial, 150 years. From the natural beauty of the Mississippi River, across to the plains near South Dakota, this is a State that amongst the stark beauty has planted the seeds, as you heard my previous colleague talk about, of innovation, from health care to computer technology to agriculture.

I am especially proud to represent the southern area of the State, the First District, those many towns, like Winona along the Mississippi River, which were the stopping points near the upper end of the paddle boats that brought our forebearers to Minnesota. The courthouses and the city halls still represent that long heritage, that rich

tradition and that sense of community that had people staking out a new life in the "big woods," in the Land of 10,000 Lakes.

I am proud to have the City of New Ulm in my district. New Ulm is, as you might expect, a very, very German town. It boasts the "Herman the German" statue that is the second largest brass statue behind only the Statue of Liberty in the United States. There is the proud tradition of the Minnesota Music Hall of Fame that captures the tradition of the many musicians and folk artists that have come through and lived in Minnesota. Both Winona and New Ulm were capitals of a day, and I am very proud of them during the sesquicentennial celebration.

The City of Rochester, as you heard my colleague mention, the small town on the prairie that the Mayo brothers opened the door to a hospital and have established the most advanced critical hospital in probably the world. The Mayo Clinic is a destination. You must fly there to get there. There is not a large city to draw you there, but there is the absolute guarantee of the most quality care that you can receive anywhere in the world. They are leading the way not only in innovations in medical research, they are leading the way in how we deliver health care to all Americans.

Also the City of Austin, known for many, many things, and one also you heard my colleague mention, the invention of SPAM and the SPAM Museum. Mr. Speaker, I invite you and anyone to please visit this wonderful place. You will find out how SPAM is made, first and foremost, but it also is something about the Hormel Institute and this other great company. They have a research lab that is there that is called the Hormel Institute. By most accounts the Hormel Institute will feature the international conference on carcinogens and in cancer research, especially melanomas, and the Hormel Institute, when the story of how cancer is solved, it will probably start in Austin, Minnesota. It is something we are very proud of, a public-private partnership.

Minnesotans have always prided themselves on their education, of investing in their children. Garrison Keillor talks about all of our children are above average. We know that we have a ways to go, but we do take pride in that, from our many, many public schools and institutions of higher learning, producing one of the highest graduation rates in the country, and usually in the very top three of all SAT and ACT scores. So there is a great pride in this.

It is those residents of Southern Minnesota that I am here today to congratulate, people who have chosen to live in a somewhat harsh climate, to take the opportunity to settle this land, to move into the Upper Midwest and to settle and create not just places to live, but communities that were vibrant and growing, and that understood that the investments we put

back in them would benefit this country.

So, I am proud of our State. I am proud of what our State contributes to this Nation, just like our other 49 States and territories do. This Nation is strongest when we are altogether, and admission of Minnesota as the 32nd State strengthened this great Union. Today I say congratulations to all Minnesotans, and we are looking forward to the next 150 years.

Ms. FOXX. Mr. Speaker, I look forward to the opportunity to visit Minnesota myself later this year. I urge our colleagues to support H. Res. 923, recognizing the State of Minnesota's 150th anniversary, and yield back the balance of my time.

Mrs. BACHMANN. Mr. Speaker, as this resolution's author, I rise to support H. Res. 923. As Minnesota turns a proud 150 years old, I am honored to recognize the contributions she has made to America's economy and heritage.

On March 3, 1849, Minnesota was established as a U.S. territory and later became the 32nd state on May 11, 1858. It is now home to over five million people and is renowned for its welcoming communities, quality schools and valuable natural resources. "Minnesota Nice" is more than a saying; it's a way of life. Minnesota is known as the Gopher State, the North Star State, and the Land of 10,000 Lakes; and its name comes from the Lakota word *minnesota*, meaning "water that reflects the sky." Native Americans continue to play a defining role in Minnesota's proud heritage. Their influence can be seen not only in the names of local towns and lakes and natural landmarks, but also in the enduring culture of conservation and love for the outdoors.

In 1889, the Saint Mary's Hospital, now known as the Mayo Clinic, opened its doors to patients in Rochester, Minnesota and is now known worldwide for its cutting-edge care.

And Minnesota houses over 30 institutions of higher education including the University of Minnesota—a world-class research university where the first open heart surgery and first bone marrow transplant were performed in the United States.

Minnesota continues to be leaders in innovation. In fact, Minnesota is currently home to more than 35 Fortune 500 Companies.

But our rise in corporate and technological prominence has not compromised our agricultural background. Farmland spans over half of Minnesota's 54 million acres and the agriculture industry is Minnesota's second largest job market, employing nearly 80,000 farmers.

At a time when energy costs and production are dominating the headlines, Minnesota is a national leader in the production and use of renewable energy, which helps our nation reduce its dependence on foreign oil.

For one-hundred and fifty years, Minnesota has attracted a special caliber of people, marked by their spirit and character. The citizens of our great state are dedicated to their families, their communities and their country. They are people of faith and charity, hope and dedication, love and compassion.

Mr. Speaker, I hope you and my fellow colleagues will join me in recognizing the rich history and substantial contributions Minnesota has made to its nation. Minnesotans have a lot to be proud of, and this legislation marks another milestone in Minnesota's long history of success.

Mr. DAVIS of Illinois. Mr. Speaker, I would urge passage of this resolution, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 923.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SUPPORTING THE GOALS AND IDEALS OF THE ARBOR DAY FOUNDATION AND NATIONAL ARBOR DAY

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1114) supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1114

Whereas the Arbor Day Foundation was founded in 1972 and now has nearly 1,000,000 members;

Whereas these members and the countless supporters of the Arbor Day Foundation continue to further the mission of the Foundation, which is to "inspire people to plant, nurture, and celebrate trees";

Whereas the Arbor Day Foundation manages the 260-acre Arbor Day Farm to serve as a model of environmental stewardship;

Whereas the Arbor Day Foundation distributes more than 10,000,000 trees annually through its Trees for America program;

Whereas the Arbor Day Foundation has worked with the Department of Agriculture's Forest Service since 1990, helping to plant nearly 12,000,000 trees in national forests damaged by fire, insects, or other causes;

Whereas J. Sterling Morton recognized the need for trees in Nebraska and proposed a tree-planting holiday called "Arbor Day" in 1872;

Whereas the observation of Arbor Day soon spread to other States and is now observed nationally and in many other countries;

Whereas J. Sterling Morton once observed that "the cultivation of trees is the cultivation of the good, the beautiful, and the ennobling in man"; and

Whereas National Arbor Day, the last Friday in April, will be celebrated on April 25, 2008: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of the Arbor Day Foundation; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe National Arbor Day with appropriate activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentle-

woman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

□ 1445

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I present for consideration H. Res. 1114, which expresses the support of Congress for the environmental goals and ideals of Arbor Day and the work of the Arbor Day Foundation.

H. Res. 1114, which was introduced by my colleague, Representative JEFF FORTENBERRY, on April 16, 2008, was reported from the Oversight Committee on May 1, 2008 by voice vote. This measure has the support and sponsorship of 53 Members of Congress, and recognizes the importance of Arbor Day and the Arbor Day Foundation in preserving America's green spaces.

J. Sterling Morton, the father of Arbor Day, once observed that, "The cultivation of trees is the cultivation of the good, the beautiful, and the ennobling in man." Established in 1872 as a tree planting holiday and celebration, Arbor Day has had a powerful and positive effect on America's landscape and ecosystem, and is now observed both nationally as well as in many foreign countries.

Mr. Speaker, we can't speak about National Arbor Day without mentioning the work of the National Arbor Day Foundation which was created with a mission to inspire people to plant, nurture, and celebrate trees. The Foundation has attracted almost 1 million members to become passionate about conservation and is worthy to be commemorated for their efforts to distribute 10 million plus trees annually for planting. And so I ask, Mr. Speaker, that we show our support of Arbor Day and the Arbor Day Foundation by agreeing to H. Res. 1114.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Nebraska, the author of this resolution, Mr. FORTENBERRY.

Mr. FORTENBERRY. I thank the gentlelady from North Carolina for yielding.

Mr. Speaker, J. Sterling Morton, the founder of Arbor Day and an outstanding Nebraskan, once said, "Each generation of humanity takes the earth as trustees." That is the spirit embodied in Arbor Day. The simple act of planting a tree provides resources

and beauty for future generations, and engages in good environmental stewardship. This resolution supports the goals of National Arbor Day and the National Arbor Day Foundation.

I would like to begin by expressing my sincere appreciation to the distinguished gentleman from California (Mr. WAXMAN), the chairman of the Committee on Government Reform, and Mr. CLYBURN of South Carolina for his help today, and the distinguished gentleman from Virginia (Mr. DAVIS), the ranking member of the committee, for their help in bringing this important resolution to the floor.

A bit of history on Arbor Day. J. Sterling Morton served as United States Secretary of Agriculture, and is honored as one of two Nebraskans to have a statue in the United States Capitol. His former home, Arbor Lodge in Nebraska City, is now the centerpiece of a truly magnificent State historical park.

An early pioneer to the Nebraska territory, he first proposed Arbor Day in 1872 to address the absence of trees in Nebraska. Trees were needed to produce fuel and building materials, provide the necessary shade and wind breaks, as well as to prevent soil erosion. It is estimated that Nebraskans planted more than 1 million trees during that first Arbor Day.

Before long, the idea spread. Arbor Day is now celebrated in all 50 States and in many Nations throughout the world. Although National Arbor Day is always the last Friday in April, individual States observe Arbor Day on various dates, according to the most appropriate tree planting times.

Another outstanding Nebraskan, John Rosenow, built upon that legacy. In 1972, he established the National Arbor Day Foundation. Its mission is to "inspire people to plant, nurture, and celebrate trees." Through its Trees for America program, it distributes more than 8 million trees annually. The Foundation has worked with the United States Department of Agriculture's forest service since 1990, helping to plant nearly 4 million trees in national forests that have been damaged by fire, insects, or other natural causes. The Foundation has also branched out beyond the United States borders, promoting environmental activities throughout the world, including rainforest preservations.

Mr. Speaker, it is very appropriate that we honor Arbor Day and its vision of dedication to tree planting. We should also recognize the countless individuals in our country who have planted trees in fulfillment of this important vision.

J. Sterling Morton once also said, "Other holidays repose on the past. Arbor Day proposes for the future." By supporting this resolution, we honor the spirit of Arbor Day. Planting trees is about planting for the future.

Mr. DAVIS of Illinois. Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to my distin-

guished colleague from the State of Idaho (Mr. SALI).

Mr. SALI. I thank the gentlewoman. I rise in support of H. Res. 1114, supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day. I wholeheartedly support the planting as well as the management of healthy trees and forests. The Forest Service has estimated that a healthy and well managed forest could sequester much more of our national carbon emissions than our forests currently sequester, currently sequestering an estimated 10 percent of our national carbon emissions.

I rise in support of this resolution. I also rise to urge my colleagues to address other issues facing our Nation, especially rising fuel prices. Increasing the supply of crude oil and ultimately its price is the single most effective thing Congress can do to lower gas prices. Today, 73 percent of every dollar we pay for gasoline is the price of producing crude oil. And yet, according to a study just released by the Bureau of Land Management, while onshore public lands in the United States are estimated to contain 31 billion barrels of oil and 231 trillion cubic feet of natural gas, some 60 percent of these lands are completely closed to leasing. Congress must act to lift the restrictions on America's energy rich public lands and increase exploration for and production of American crude oil and natural gas, and do so in an environmentally friendly manner.

Mr. DAVIS of Illinois. Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman from Nebraska for introducing this resolution.

I am reminded that my mother was a serious conservationist who just loved the beauty of flowers and trees. I would urge passage of this resolution as I close by remembering the words of Joyce Kilmer who had a poem called "Trees." He said that:

I think that I shall never see
A poem so lovely as a tree.
A tree that may in summer wear
A nest of robins in her hair;
Upon whose bosom snow has lain;
Who intimately sleeps with the rain.
Poems are made by fools like me,
But only God can make a tree.

I would urge passage.

Ms. FOXX. Mr. Speaker, I rise today in support of this resolution honoring the goals and ideals of the Arbor Day Foundation and National Arbor Day.

Trees—They provide us with shelter and warmth. They clean the air we breathe. Their majesty inspires awe and alters landscapes. Mankind owes its livelihood to these miracles of nature, yet it is so easy to overlook their importance and beauty.

These traits were not lost to J. Sterling Morton, a pioneer who moved from Detroit to the unforgiving, treeless plains of the Nebraska Territory in 1854. A journalist and avid lover of nature, Morton used his position as editor of Nebraska's first newspaper to spread agricultural information and his enthusiasm for trees.

His words did not fall on deaf ears. Fellow pioneers soon realized how valuable trees were to their survival, not only for fuel and building materials, but for the stability of the soil and shade from the arid sun.

Once appointed as the secretary of the Nebraska Territory, on January 4, 1872 Morton first proposed a tree-planting holiday called "Arbor Day." That same year, on April 10, citizens across Nebraska planted over one million trees.

The first official Arbor Day was held on April 10, 1874 and by 1885 it became a legal holiday in Nebraska to be celebrated on April 22, J. Sterling Morton's birthday. Throughout the 1870's the appeal spread across the nation and it was not long before Arbor Day was celebrated in each state of the United States.

Today, Arbor Day is observed not only throughout this great nation, but across the globe. While most states observe Arbor Day on the last Friday in April, celebrations have evolved to correspond with varying ideal planting weather.

In response to growing national and international popularity, the Arbor Day Foundation was founded in 1972 to "inspire people to plant, nurture, and celebrate trees." The Arbor Day Foundation fuels their mission through the Arbor Day Farm, promoting and coordinating events, working with government and corporate entities, and distributing over 10 million trees annually.

What began as a local holiday born of one man's enthusiasm has flourished into a global celebration. From Florida to Oregon and Cambodia to Venezuela, people gather to honor the ideals of Arbor Day.

I urge my colleagues to support this resolution and cherish its goal, captured convincingly in the words of its founder, J. Sterling Morton—"the cultivation of trees is the cultivation of the good, the beautiful, and the ennobling in man."

Mr. Davis of Illinois. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 1114.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

DR. MARTIN LUTHER KING, JR.,
POST OFFICE

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1734) to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the "Dr. Martin Luther King, Jr., Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1734

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DR. MARTIN LUTHER KING, JR. POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, shall be known and designated as the “Dr. Martin Luther King, Jr. Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Dr. Martin Luther King, Jr. Post Office”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he might consume to the sponsor of this resolution, Representative BLUMENAUER from the State of Oregon.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy.

I rise today in asking my colleagues to join me in this legislation to designate the facility of the postal service on Northeast Killingsworth in Portland as the Dr. Martin Luther King, Jr., Post Office.

Dr. King, as a powerful symbol of racial justice and social equality in our country, is a fitting designation for this facility. I have had some experience in the community dealing with recognition for Dr. King. Some 20 years ago as Portland's Commissioner of Public Works that I worked with the community, notably of my friend Bernie Foster, the publisher of The Scanner newspaper, and others, to designate Union Avenue after Dr. King. It was an eye opening experience for me, a reminder of the troubled racial past of our community and our State. While Oregon has a rich cultural heritage for black Americans, it had a rocky path towards racial equality.

While slavery was declared illegal early in Oregon's history, in 1848, the provisional government had exclusionary laws surrounding land ownership. And when Oregon was admitted to the Constitution, it had exclusionary laws then. It was only after a long and aggressive struggle that progress was made.

In 1914, the NAACP opened a chapter in Portland, and continues to be the oldest continually chartered chapter west of the Mississippi. This movement

was bolstered by the independent black owned weekly newspaper, The Advocate, that dated back 105 years in Portland that tirelessly featured articles and editorials dealing with the evils of segregation, lynching, employment opportunities, and other issues that kept the reality of Jim Crow and the pressing need for civil rights in the State, local, and national agenda in the forefront. Sadly, it wasn't until 1927 that the Oregon State Constitution was finally amended to remove the clause denying blacks the right to vote, even though Oregon had ratified the 14th amendment in 1868.

We have been, in our community, trying to come to grips with that past. And, as I mentioned, it was a tumultuous experience we had 20 years ago in the renaming of Union Avenue after Dr. King. But it did come to pass. In the course of the 20 years, we have watched steady progress as we have dealt with our past and as we look forward to the future.

I find the renaming of this post office after Dr. King to be significant on so many different levels. First of all, it came about as the result of a grassroots community effort led by local letter carriers, Jamie Partridge and Isham Harris, that epitomized the service from that particular post office, something that people in the community remark to me as sort of an island, one of these 37 outposts of the post office where half the world's mail is delivered every day. But this is a linkage to people, and it is a very special office signified by the leadership of letter carriers themselves.

□ 1500

Starting with their fellow workers, moving out through the Piedmont and Concordia Neighborhood Associations, the Sabin Neighborhood Association, showing deep community pride in its heritage.

I find today, Mr. Speaker, that it is particularly noteworthy because we are going to make history, in all likelihood, tonight or tomorrow, where there will be enough votes for the nomination of the first African American nominee of a major party for President of the United States, and one who I sincerely hope is elected.

Having the opportunity to reflect on that great national achievement, while we have the recognition locally for Dr. King and his achievements and the progress that has been made in our community gives me great pride. I'm pleased that we take a small step forward with the designation of this Post Office in the honor of Dr. King, and hope that my colleagues will join me in supporting it.

Ms. FOXX. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today to express my strong support of this bill designating the post office located at 630 Northeast Killingsworth Avenue in Portland, Oregon as the Dr. Martin Luther King, Jr. Post Office.

Dr. Martin Luther King, Jr. is one of the most important public figures of our times. His leadership during the civil rights movement helped to make America the country it is today, a country that strives for equality, justice and liberty for all its citizens. Dr. King is an American icon and, as such, deserves this honor and recognition.

Dr. King, a southern Baptist minister, was instrumental in leading the civil rights movement during the 1950s and 60s. After his march on Washington in 1963, Dr. King's memorable and often quoted I Have a Dream speech established him as one of the greatest public speakers of his time.

In over 2,500 speeches over the course of his career Dr. King cried out against segregation and other forms of racial inequity, bringing discrimination to the forefront of people's minds and making civil rights a primary concern.

His ceaseless efforts to end racial discrimination and segregation through nonviolent means earned him a Nobel Peace Prize in 1964, making him the youngest recipient in history. He has also been honored with a Presidential Medal of Freedom and a Congressional Gold Medal. In 1983 Congress established a national holiday as a tribute to his memory.

Widely recognized as one of the most pivotal figures in the battle to end bigotry and discrimination on the basis of race, Dr. King led the Montgomery Bus Boycott in 1955, helped to found the Southern Christian Leadership Conference in 1957, and was instrumental in orchestrating the famous Birmingham, Alabama protests.

Towards the end of his life, Dr. King expanded his message to apply to impoverished Americans. The Poor People's Campaign focused on the economic injustice and tried to reach out to poor people of all races and cultures. Dr. King dedicated his life to ensuring the principles this country holds so dear, those of liberty and justice for all citizens.

I thank my respected colleague, EARL BLUMENAUER, for introducing this legislation, and reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, it is my unique pleasure to join my colleagues in the consideration of H.R. 1734, which designates the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon as the Martin Luther King, Jr. Post Office.

The naming of a postal facility in Northwest America, hundreds of miles from Dr. King's civil rights battlefield in the Deep South, is a strong testimony to the far-reaching impact this pivotal figure had on our Nation as a whole.

H.R. 1734 was introduced by Representative EARL BLUMENAUER of Oregon on March 28, 2007, and was considered by and reported from the Oversight Committee on April 9, 2008, by voice vote.

Mr. Speaker, we're all well aware of the activism of Dr. Martin Luther King during his lifetime on this Earth. From his leadership in helping to organize the Montgomery Bus Boycott in 1955, to his riveting I Have a Dream speech, Dr. King reminded our country of its fundamental responsibility to safeguard the natural, God-given rights of all men so that we are free to pursue our goals and aspirations without the artificial walls of skin color, religious affiliation, sexuality or any other pointless barrier that separates us from our fellow human persons.

Mr. Speaker, let us join our colleagues from the great State of Oregon, and once again pay tribute to the life and work of the great Reverend Dr. Martin Luther King, Jr. by renaming this postal facility at 630 Northeast Killingsworth Avenue in Portland, Oregon in honor of this great American hero. I strongly urge passage of this bill.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield as much time as he may consume to my distinguished colleague from the State of Idaho (Mr. SALI).

Mr. SALI. Mr. Speaker, I rise in support of this bill to designate this Portland post office in the name of and memory of Dr. Martin Luther King, Jr.

While I support this designation, I note with some disappointment that we are not also addressing rising fuel prices on this week's schedule. Dr. King spoke passionately about our Nation's moral obligation to make sure that the needs of the poor and the elderly are met.

American senior citizens and low-income households have been disproportionately affected by higher energy costs. In 2006, before the skyrocketing and record-breaking fuel price increases we are seeing today, low-income households in America spent nearly 20 percent of their income on energy-related expenditures.

This is a moral issue, an issue which, for many low-income families, senior citizens and hardworking families, affects their access to education, and even to their doctors. It's time for Congress to act on that moral obligation to take care of the poor and the elderly, and lift the restrictions on America's energy rich public lands to increase exploration for and production of American crude oil and natural gas, and do so in an environmentally friendly manner.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve time.

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H.R. 1734.

I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of our time and urge support for this resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 1734.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CHI MUI POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5477) to designate the facility of the United States Postal Service located at 120 South Del Mar Avenue in San Gabriel, California, as the "Chi Mui Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHI MUI POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 120 South Del Mar Avenue in San Gabriel, California, shall be known and designated as the "Chi Mui Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Chi Mui Post Office Building".

THE SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from North Carolina, (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Now, Mr. Speaker, it's my pleasure to yield such time as he might consume to the sponsor of this resolution, Representative ADAM SCHIFF from California.

Mr. SCHIFF. I thank the gentleman from Illinois for yielding, and I want to thank him, Mr. WAXMAN and the staff on the committee for working with me on this legislation.

I'm proud to stand here today to honor a well-respected and dedicated leader from the San Gabriel Valley. Mr. Chi Mui was a beloved member of the Asian American community in Southern California, and the mayor of the city of San Gabriel, where he dedicated himself to improving the quality of life for his neighbors, community and country. I can't think of a more fitting tribute to such an exceptional man than naming the post office in San

Gabriel, the town where he touched so many lives, in his honor.

Chi Mui's story epitomizes the American dream. Born in Toisan, China, Chi Mui was a man of humble origins whose early experiences enabled him to relate and connect to the Asian community in California.

After spending many of his early years in Hong Kong, Chi moved with his parents to New York City's vibrant Chinatown in 1963, at the age of 10. Chi spoke Cantonese with his parents, who were a seamstress and a cook, but quickly immersed himself in the language of his new home. As a new immigrant, he remembered feeling like an outsider on the edge of society, and found refuge, his own oasis in the New York Public Library, where he broadened his mind and developed a lifelong commitment to supporting public libraries.

His time reading and studying in the library served him well as he continued his schooling, graduating cum laude with a bachelor's degree in civil engineering from Polytechnic University in New York in 1980. After attending New York University, he moved west and began his distinguished career in public service.

In Los Angeles he served as deputy to one of our colleagues, LUCILLE ROYBAL-ALLARD, and later to California State Senator, Richard Polanco. As their deputy, and in his own time, Chi began working to better the lives of immigrants in the region. Chi Mui's immigrant roots and experiences gave him a special insight and the wisdom and ability to connect with generations of people who came to this country for a better life.

Chi was a key player in the development of 600 units of affordable and senior housing in Los Angeles' Chinatown, and taught citizenship classes to help hundreds of legal residents become U.S. citizens. In 1999 he led an alliance of community leaders, neighborhood groups and businesses to save 50 acres of open space known as the "Cornfield" in downtown Los Angeles. This land became California's first ever urban State park, and is now known as the Los Angeles State Historic Park.

An avid runner and an athlete, he cared deeply about improving recreational facilities and opportunities for youth in the urban area of Los Angeles, and helped obtain \$35 million in State funding in 2001 for recreational facilities and activities in the new Los Angeles State Historic Park.

Chi also helped expand the capacity of the Alpine Recreation Center, which doubled in size due to his efforts. He volunteered his time to coach youth at the Alpine Center where he taught teamwork and sportsmanship.

He also founded and co-founded the Los Angeles Chinatown Athletic Association Volleyball Club and created a night basketball program for at-risk youth. Youth are still benefiting from his legacies. Both programs are still going strong today.

Chi Mui's experience as an immigrant and his close ties to his Chinese heritage led him to be active in the Chinese American community in the L.A. area. In recognition of his leadership, he was elected President of the Los Angeles Chinese American Citizens Alliance twice. The Alliance was founded in San Francisco in 1895, and advocates for equal political, economic and educational opportunities for Chinese Americans.

Chi believed in working together with everyone, and often brought different cultures and races together to work on common problems. While he was close with the Chinese American community, he also worked hand in hand with the Indochinese and Chinese-Vietnamese communities, and he was an important link between the Asian American community in San Gabriel and all other residents where he served on the San Gabriel City Council.

Chi Mui was one of only a handful of first-generation Chinese Americans to successfully run for office when he was elected to the San Gabriel City Council in March of 2003. He made history as the first Asian and Chinese American City Council member and mayor since the City of San Gabriel's incorporation in 1913.

Remembering how important library access was to him, Chi was a devoted member of the Friends of San Gabriel Public Library, and led the effort to open the county public library in San Gabriel on Saturdays to provide more services to residents and students without increasing costs.

However, his personal passion on the City Council was the "greening" of the community, and he worked tirelessly to preserve the quality of life that San Gabriel residents value. A long-time advocate of parks and open space, Chi Mui helped the city obtain funds for the master plan and redesign of Vincent Lugo Park, and successfully pushed for additional trees and greenery on neighborhood streets.

For several years, Chi fought a courageous battle with cancer, during which he continued his work for the residents of San Gabriel. On April 27, 2006, at the age of 53, Chi passed away with his wife Betty and a few close friends at his side.

□ 1515

He was greatly loved by the City of San Gabriel, and those who knew him saw his commitment to making the city a wonderful community for lifelong residents and new commerce as well.

I greatly enjoyed the chance to work with him during his tenure on the city council and know I speak for a great many when I say how much we all miss him.

People around the country recently finished celebrating Asian Pacific American Heritage Month which ended on Saturday, May 31. Asian Americans have touched many lives around the country, and Chi Mui is no exception.

It is fitting that we pass this legislation, H.R. 5477, which will add yet another Asian American name to a very short list of post offices honoring this important community.

Chi Mui will never be forgotten by those who knew him. He had a profound effect on the people of southern California and the City of San Gabriel. Future generations will recognize his good work in our community as we preserve his memory and rename the San Gabriel post office in his honor.

I thank again the gentleman from Illinois.

Mr. DAVIS of Illinois. I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5477, legislation to name the post office in San Gabriel, California, in honor of Chi Mui.

Today, we honor Chi Mui who passed away from cancer on April 27, 2006. His accomplishment in serving the citizens of San Gabriel, California, as the first Asian and Chinese American council member and mayor of San Gabriel was a testament to his lasting dedication and friendship to the community.

The modest beginning of Chi Mui's life did not forecast the dramatic and incredible impact he would have on the people of Los Angeles. Born in China on October 26, 1952, Mayor Mui was the son of a seamstress and a cook. At the age of 10, he moved with his family out of his home in China and into New York City where he quickly learned to speak English. In 1980, Mayor Mui graduated cum laude with a degree in civil engineering from Polytechnic University of New York and subsequently moved to southern California.

Before being elected to the San Gabriel City Council in 2003, Mayor Mui wasted no time in devoting his efforts to his new community. He was instrumental in developing 600 units of affordable and senior housing in Los Angeles's Chinatown and spent his time teaching citizenship classes in order to help hundreds of fellow immigrants achieve citizenship in their new home.

A passion for open space, Mayor Mui led the efforts to obtain the space and the \$35 million necessary to build the first urban state park in downtown Los Angeles. Mayor Mui was also a devoted athlete and cofounded the Los Angeles Chinatown Athletic Association Volleyball Club where he worked as a coach teaching and reinforcing life lessons that continue well beyond volleyball.

In a city where one in two residents is Asian, Mayor Mui played a role as liaison between the city government and the Asian community. As a city council member, he led the efforts to open the county public library in San Gabriel on Saturdays to provide greater access to residents without increasing cost.

His tireless work for the Asian community was recognized when he was

twice elected President of the Los Angeles Chinese American Citizens Alliance.

Recognizing his ability and devotion to San Gabriel in the Asian community, the council appointed him vice-mayor in 2005. In 2006, it elevated him to the position of mayor, an invaluable step that linked the members of the Asian community.

With gratitude to his service to the San Gabriel community, I ask all Members to join me in supporting H.R. 5477.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, on behalf of the House Committee on Oversight and Government Reform, I rise to present for our consideration H.R. 5477, which names the facility of the United States Postal Service located at 120 South Del Mar Avenue in San Gabriel, California, as the "Chi Mui Post Office Building."

Chi Mui is best known for his commitment to public service as the former mayor of the Southern California City of San Gabriel. H.R. 5477 was first introduced by Representative ADAM SCHIFF on February 21, 2008, and is supported by over 50 Members of Congress, many of whom hail from the State of California. The bill before us has been considered by the Oversight Committee and was approved by the panel on April 16, 2008, by voice vote.

Regarded as a role model to those interested in pursuing public service, Mayor Mui was able to rise from the most humble beginnings to become one of Southern California's most respected local leaders and social advocates.

A tireless fighter for immigrant rights and affordable housing, Chi Mui's accomplishments and contributions go beyond his service as mayor of San Gabriel of California, to include his work on improving opportunities for deserving youth and ensuring inclusion and integration of Southern California's Asian American population.

Mr. Speaker, it was only a few short weeks ago that we here in the House were celebrating both National Public Service Recognition Week and Asian Pacific American Heritage Month. Mayor Chi Mui's life helped to highlight the significance of celebrating both of these commemorative celebrations. Therefore, I ask my colleagues to join me in recognizing this extraordinary American citizen by passing H.R. 5477.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield as much time as he may consume to my distinguished colleague from the State of Idaho (Mr. SALI).

Mr. SALI. Mr. Speaker, I rise in support of H.R. 5477 designating this post office in the name of Chi Mui.

While I rise in support of this resolution, I again rise to urge my colleagues to address rising fuel prices. Chi Mui's efforts to improve his community are

akin to the efforts of America's charitable organizations that seek to meet the needs of Americans all across our lands. Today, as Americans across this country pay \$3.98 per gallon at the pump, these prices hit nearly every facet of life, including those charities providing care for many Americans in need.

One Tennessee paper reported today on the effects these prices are having on charities, and it says, "Nonprofit agencies and charities that rely on voluntary drivers to help carry out their work say soaring gas prices are forcing volunteers to scale back or even stop driving. This means there are fewer people to drive cancer patients to treatment and fewer people to deliver food to the needy."

Congress has a moral obligation to address rising fuel prices by immediately lifting the restrictions on America's energy-rich public lands to increase exploration for and production of American crude oil and natural gas and to do so in an environmentally friendly manner.

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H.R. 5477, and I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I urge support for this resolution, and I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 5477.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SENIOR EXECUTIVE SERVICE DIVERSITY ASSURANCE ACT

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3774) to provide for greater diversity within, and to improve policy direction and oversight of, the Senior Executive Service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3774

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Senior Executive Service Diversity Assurance Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) according to the Government Accountability Office—

(A) minorities made up 22.5 percent of the individuals serving at the GS-15 and GS-14 levels and 15.8 percent of the Senior Executive Service in 2007;

(B) women made up 34.3 percent of the individuals serving at the GS-15 and GS-14 levels and 29.1 percent of the Senior Executive Service in 2007; and

(C) although the number of career Senior Executive Service members increased from 6,110 in

2,000 to 6,555 in 2007, the representation of African-American men in the career Senior Executive Service declined during that same period from 5.5 percent to 5.0 percent; and

(2) according to the Office of Personnel Management—

(A) black employees represented 6.1 percent of employees at the Senior Pay levels and 17.8 percent of the permanent Federal workforce compared to 10.1 percent in the civilian labor force in 2007;

(B) Hispanic employees represented 4.0 percent of employees at the Senior Pay levels and 7.8 percent of the permanent Federal workforce compared to 13.3 percent of the civilian labor force in 2007; and

(C) women represented 28.2 percent of employees at the Senior Pay levels and 43.9 percent of the permanent Federal workforce compared to 45.7 percent of the civilian labor force in 2007.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) the term "Director" means the Director of the Office of Personnel Management;

(2) the term "Senior Executive Service" has the meaning given such term by section 2101a of title 5, United States Code;

(3) the terms "agency", "career appointee", and "career reserved position" have the meanings given them by section 3132 of title 5, United States Code; and

(4) the term "SES Resource Office" means the Senior Executive Service Resource Office, established under section 4.

SEC. 4. SENIOR EXECUTIVE SERVICE RESOURCE OFFICE.

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of the enactment of this Act, the Director shall establish within the Office of Personnel Management an office to be known as the Senior Executive Service Resource Office. The mission of the SES Resource Office shall be—

(1) to improve the efficiency, effectiveness, and productivity of the Senior Executive Service through policy formulation and oversight;

(2) to advance the professionalism of the Senior Executive Service; and

(3) to ensure that, in seeking to achieve a Senior Executive Service reflective of the Nation's diversity, recruitment is from qualified individuals from appropriate sources.

(b) **FUNCTIONS.**—It shall be the function of the SES Resource Office to make recommendations to the Director with respect to regulations, and to provide guidance to agencies, concerning the structure, management, and diverse composition of the Senior Executive Service. In order to carry out the purposes of this section, the SES Resource Office shall—

(1) take such actions as the SES Resource Office considers necessary to manage and promote an efficient, elite, and diverse corps of senior executives by—

(A) creating policies for the management and improvement of the Senior Executive Service;

(B) providing oversight of the performance, structure, and composition of the Senior Executive Service; and

(C) providing guidance and oversight to agencies in the management of senior executives and candidates for the Senior Executive Service;

(2) be responsible for the policy development, management, and oversight of the Senior Executive Service pay system;

(3) develop standards for certification of each agency's Senior Executive Service performance management system and evaluate all agency applications for certification;

(4) be responsible for developing and monitoring programs for the advancement and training of senior executives, including the Senior Executive Service Federal Candidate Development Program;

(5) provide oversight of, and guidance to, agency executive resources boards;

(6) be responsible for the administration of the qualifications review board;

(7) establish and maintain annual statistics (in a form that renders them useful to appointing authorities and candidates) on—

(A) the total number of career reserved positions at each agency;

(B) the total number of vacant career reserved positions at each agency;

(C) of the positions under subparagraph (B), the number for which candidates are being sought;

(D) the number of individuals who have been certified in accordance with section 3393(c) of title 5, United States Code, and the composition of that group of individuals with regard to race, ethnicity, sex, age, and individuals with disabilities;

(E) the composition of the Senior Executive Service with regard to race, ethnicity, sex, age, and individuals with disabilities;

(F) the composition of executive resources boards with regard to race, ethnicity, sex, and individuals with disabilities; and

(G) the composition of qualifications review boards with regard to race, ethnicity, sex, and individuals with disabilities;

(8) make available to the public through the official public internet site of the Office of Personnel Management, the data collected under paragraph (7);

(9) establish mentoring programs for potential candidates for the Senior Executive Service, including candidates who have been certified as having the executive qualifications necessary for initial appointment as a career appointee under a program established pursuant to section 3396(a) of title 5, United States Code;

(10) conduct a continuing program for the recruitment of women, members of racial and ethnic minority groups, and individuals with disabilities for Senior Executive Service positions, with special efforts directed at recruiting from educational institutions, professional associations, and other sources;

(11) advise agencies on the best practices for an agency in utilizing or consulting with an agency's equal employment or diversity office or official (if the agency has such an office or official) with regard to the agency's Senior Executive Service appointments process; and

(12) evaluate and implement strategies to ensure that agencies conduct appropriate outreach to other agencies to identify candidates for Senior Executive Service positions.

(c) **PROTECTION OF INDIVIDUALLY IDENTIFIABLE INFORMATION.**—For purposes of subsection (b)(8), the SES Resource Office may combine data for any agency that is not named in section 901(b) of chapter 31, United States Code, to protect individually identifiable information.

(d) **COOPERATION OF AGENCIES.**—The head of each agency shall provide the Office of Personnel Management with such information as the SES Resource Office may require in order to carry out subsection (b)(7).

SEC. 5. CAREER APPOINTMENTS.

(a) **PROMOTING DIVERSITY IN THE CAREER APPOINTMENTS PROCESS.**—Section 3393 of title 5, United States Code, is amended—

(1) in subsection (b), by inserting after the first sentence the following: "In establishing an executive resources board, the head of the agency shall, to the extent practicable, ensure diversity of the board and of any subgroup thereof or other evaluation panel related to the merit staffing process for career appointees, by including members of racial and ethnic minority groups, women, and individuals with disabilities."; and

(2) in subsection (c)(1), by adding after the last sentence the following: "Consideration should also be given to improving diversity by including members of racial and ethnic minority groups, women, and individuals with disabilities on qualifications review boards.".

(b) **REGULATIONS.**—Within 1 year after the date of the enactment of this Act, the Director shall promulgate regulations to implement subsection (a) and to improve diversity in executive

resources boards and qualifications review boards.

(c) **REPORT.**—Within 1 year after the date of the enactment of this Act, the Director shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report evaluating agency efforts to improve diversity in executive resources boards and of the members designated by agencies to serve on qualifications review boards, based on the information collected by the SES Resource Office under subparagraphs (F) and (G) of section 4(b)(7).

SEC. 6. ENCOURAGING A MORE DIVERSE SENIOR EXECUTIVE SERVICE.

(a) **SENIOR EXECUTIVE SERVICE DIVERSITY PLANS.**—Within 1 year after the date of the enactment of this Act, each agency, in consultation with the Office of Personnel Management, shall submit to the Office of Personnel Management a plan to enhance and maximize opportunities for the advancement and appointment of minorities, women, and individuals with disabilities in the agency to the Senior Executive Service. Agency plans shall address how the agency is identifying and eliminating barriers that impair the ability of minorities, women, and individuals with disabilities to obtain appointments to the Senior Executive Service and any actions the agency is taking to provide advancement opportunities, including—

(1) conducting outreach to minorities, women, and individuals within the agency and outside the agency;

(2) establishing and maintaining training and education programs to foster leadership development;

(3) identifying career enhancing opportunities for agency employees;

(4) assessing internal availability of candidates for Senior Executive Service positions; and

(5) conducting an inventory of employee skills and addressing current and potential gaps in skills and the distribution of skills.

Agency plans shall be updated at least every 2 years during the 10 years following enactment of this Act. An agency plan shall be reviewed by the Office of Personnel Management and, if determined to provide sufficient assurances, procedures, and commitments to provide adequate opportunities for the advancement and appointment of minorities, women, and individuals with disabilities to the Senior Executive Service, shall be approved by such Office. An agency may, in updating its plan, submit to the Office of Personnel Management an assessment of the impacts of the plan.

(b) **SUMMARY AND EVALUATION.**—Within 180 days after the deadline for the submission of any report or update under subsection (a), the Director shall transmit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report summarizing and evaluating the agency plans or updates (as the case may be) so submitted.

(c) **COORDINATION.**—The Office of Personnel Management shall, in carrying out subsection (a), evaluate existing requirements under section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16) and section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791) and determine how agency reporting can be performed so as to be consistent with, but not duplicative of, such sections and any other similar requirements.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

I introduced H.R. 3774, the Senior Executive Diversity Assurance Act, on October 9, 2007. The bill was considered by the Federal Workforce Subcommittee on April 15, 2008, and by the full Committee on Oversight and Government Reform on May 1, 2008, when it was approved with amendment by voice vote.

Mr. Speaker, I want wanted to thank Senator AKAKA for introducing a companion bill in the Senate, S. 2148, and for co-chairing an April 3, 2008, joint hearing where both the House and the Senate Federal Workforce Subcommittees examined the need for legislation to improve diversity at the highest levels of the Federal Government.

According to data from the Office of Personnel Management, the percentage of minorities and women at senior pay levels in the Federal Government, including the SES, is lower than in the civilian workforce and the Federal workforce as a whole. According to GAO, the number of African American men in the SES actually decreased between the years of 2000 and 2007. I believe that H.R. 3774 takes an important step towards improving the diversity of the Senior Executive Service.

This bill is a long time coming. Since 2003, I have requested Government Accountability Office reports and hearings on this issue. As chairman of the Subcommittee on the Federal Workforce Postal Service in the District of Columbia, I held a hearing in May 2007 on diversity in the SES. Following that hearing, my staff and I met with a number of Federal employee organizations, including the African American Federal Executives Association, the National Association of Hispanic Federal Executives, the Asian American Government Executives Network, Federally Employed Women, Blacks in Government, and the Senior Executives Association.

We learned that the lack of diversity in the SES is not skewed to a shortage of women and minorities at the GS-15 and GS-14 levels, which are the development pools for the SES. According to the Government Accountability Office, in 2007, minorities made up 22.5 percent of the employees in the SES development pool. At the same time, minorities made up only 15.8 percent of the SES. Rather, we heard that there are concerns with the selection process, and there is a lack of oversight and accountability in promoting and hiring minorities in the SES.

The Senior Executive Service Diversity Assurance Act aims to address

these concerns. H.R. 3774, as reported by the Committee on Oversight and Government Reform, reestablishes the Senior Executive Service Resource Office within the Office of Personnel Management and adds new requirements for the office such as requiring the collection of data on the mark-up of the selection panels that considered candidates for SES positions. OPM currently encourages agencies to make these panels diverse but collects no data on the panels.

□ 1530

The bill requires agencies to ensure diversity by including, to the extent practicable, minorities, women, and individuals with disabilities on executive resources boards and any other panels or subgroups used to select SES appointees. This bill provides that OPM and agencies should also give consideration to improving diversity in qualifications review boards, which are the panels set up by OPM to certify the leadership qualifications of potential SES appointees. The bill requires OPM to issue regulations and report to Congress on agency efforts to improve the diversity of executive resources boards and qualifications review boards.

Finally, under this bill, agencies will be required to submit diversity plans, modeled on the current requirement that agencies submit plans for the hiring and advancement of individuals with disabilities. Each agency must submit a plan to OPM describing what efforts the agency is making to enhance and maximize opportunities for the advancement and appointment of minorities, women, and individuals with disabilities to the SES. These plans will have to be updated every 2 years for 10 years, and OPM will be required to submit a report to Congress summarizing and evaluating agency plans. I have also included a findings section that will help explain the purpose and intent of the legislation which is to address the concerns of the numbers of minorities in the SES.

Diversity will not be achieved in the SES on good intentions and failed policies. Now is the time to improve diversity in the SES, particularly since 90 percent of the current SES corps will retire over the next 10 years. Diversity of gender, ethnicity, age, and disabilities, as well as diversity of education, thinking, and experience are crucial if the Federal workforce is to mirror the communities we live in and serve. Paying close attention to diversity is the key to staying competitive in an increasingly global economy and recruiting the best and brightest workforce. It is my belief that all Americans want to work for organizations where they have the opportunity to use their skills, their knowledge to develop their careers. The Senior Executive Service Diversity Assurance Act will help provide that opportunity.

Therefore, Mr. Speaker, I urge passage of H.R. 3774.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to speak on H.R. 3774, the Senior Executive Service Diversity Assurance Act.

In April of this year, the Department of Justice wrote to the committee raising a number of constitutional concerns with the introduced version of this legislation. While a number of changes were made to address these concerns during committee consideration of the legislation, some remained concerned that the legislation could still be vulnerable to constitutional challenges. For example, making demographic information about these senior executive service candidates and incumbents available for hiring purposes could suggest that this information should be taken into account in the selection process.

But I stand before you today to raise a concern much bigger than the state of our Federal workforce. I stand before you today to bring your attention to the woeful lack of attention that has been given this Congress to the skyrocketing gas prices throughout this Nation.

Throughout the country, for the first time in our history, a gallon of gas at local gas stations averages more than \$4, and there appears to be no relief in sight for working class Americans.

House Republicans have introduced a comprehensive plan to lower gas prices and preserve energy independence. The Republican plan would increase the production of American-made energy in an environmentally safe way. It would promote new, clean, and reliable energy sources. It would cut red tape and increase the supply of American-made fuel and energy. And it would encourage greater efficiency by offering conservation tax incentives.

The Democrats, however, have no such plan to help American families and small businesses deal with their increasing pain at the pump.

At a time when our country is facing a serious crisis in energy prices, with all due respect to my colleague from Illinois, my assumption is that most Americans would prefer that we focus on solving America's energy woes, rather than spending valuable floor time debating the creation of various offices within the Office of Personnel Management.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve our time.

Ms. FOXX. Mr. Speaker, I have no further speakers and yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, in closing, I want to thank and commend chairman of the Oversight Committee, Representative HENRY WAXMAN, and the ranking member, Representative TOM DAVIS, for their outstanding leadership and work on this legislation.

I also want to commend all of our staff persons on both sides of the com-

mittee, both the Democratic side and the Republican side. And especially do I want to commend my staff director for the Subcommittee on the Federal Workforce, District of Columbia and Postal Service, Ms. Tania Shand, for the tremendous work that she has done on this issue over the last 3 years in actuality.

And with that, Mr. Speaker, I urge passage of this bill.

I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 3774, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

TELEWORK IMPROVEMENTS ACT OF 2008

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4106) to improve teleworking in executive agencies by developing a telework program that allows employees to telework at least 20 percent of the hours worked in every 2 administrative workweeks, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4106

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Telework Improvements Act of 2008".

SEC. 2. TELEWORK.

(a) IN GENERAL.—Part III of title 5, United States Code, is amended by inserting after chapter 63 the following:

"CHAPTER 65—TELEWORK

"Sec.

"6501. Definitions.

"6502. Governmentwide telework requirement.

"6503. Implementation.

"6504. Telework Managing Officer.

"6505. Evaluating telework in agencies.

"6506. Continuity of operations.

"§ 6501. Definitions

"For purposes of this chapter—

"(1) the term 'agency' means an Executive agency (as defined by section 105), except as provided in section 6506(c);

"(2) the term 'telework' or 'teleworking' refers to a work arrangement under which an employee regularly performs the duties and responsibilities of such employee's position, and other authorized activities, from home or another worksite removed from the employee's regular place of employment; and

"(3) the term 'continuity of operations' refers to an effort within individual executive departments and agencies to ensure that primary mission essential functions continue to be performed during a wide range of emergencies, including localized acts of nature, accidents, public health emergencies, and technological or attack-related emergencies.

"§ 6502. Governmentwide telework requirement

"(a) TELEWORK REQUIREMENT.—

"(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this chapter, the head of each agency shall establish a policy under which employees shall be authorized to telework, subject to paragraph (2) and subsection (b).

"(2) REGULATIONS.—The policy of each agency under this subsection—

"(A) shall be in conformance with regulations which the Administrator of General Services shall, within 120 days after the date of the enactment of this chapter and in coordination with the Office of Personnel Management, prescribe for purposes of this subsection; and

"(B) shall ensure that employees are authorized to telework—

"(i) to the maximum extent possible; and

"(ii) without diminishing employee performance or agency operations.

"(b) TREATMENT OF CERTAIN CIRCUMSTANCES.—Nothing in subsection (a) shall be considered—

"(1) to require the head of an agency to authorize teleworking in the case of an employee whose duties and responsibilities—

"(A) require daily access to classified information;

"(B) require daily face-to-face contact with members of the public or other persons, or the use of equipment, at the employee's regular place of employment; or

"(C) are such that their performance from a site removed from the employee's regular place of employment is not feasible; or

"(2) to prevent the temporary denial of permission for an employee to telework if, in the judgment of the agency head—

"(A) the employee is needed to respond to an emergency;

"(B) the employee requires additional training; or

"(C) the denial is necessary, for a specific or ascertainable period of time, to achieve goals and objectives of programs administered by the agency.

"(c) RULE OF CONSTRUCTION.—Nothing in this chapter shall—

"(1) be considered to require any employee to telework; or

"(2) prevent an agency from permitting an employee to telework as part of a continuity of operations plan.

"§ 6503. Implementation

"In order to carry out the purposes of this chapter—

"(1) the head of each agency shall ensure that—

"(A) appropriate training is provided to supervisors and managers and to all employees who are authorized to telework; and

"(B) no distinction is made between teleworkers and nonteleworkers for purposes of performance appraisals;

"(2) the General Services Administration, in coordination with the Office of Personnel Management, shall provide advice, assistance, and, to the extent necessary, training to agencies, including with respect to—

"(A) questions of eligibility to telework, including considerations relating to employee performance; and

"(B) making telework part of the agency's goals, including those of individual supervisors and managers;

"(3) the General Services Administration, in coordination with the Office of Management and Budget and the National Institute of Standards and Technology, shall prescribe regulations, within 120 days after the date of the enactment of this chapter, to ensure the adequacy of information and security protections for information and information systems used in, or otherwise affected by, teleworking; such regulations shall be consistent with information security policies and guidance issued by the Office of Management and

Budget and the National Institute of Standards and Technology, and shall, at a minimum, include requirements necessary—

“(A) to control access to agency information and information systems;

“(B) to protect agency information (including personally identifiable information) and information systems;

“(C) to limit the introduction of vulnerabilities;

“(D) to protect information systems not under the control of the agency that are used for teleworking; and

“(E) to safeguard the use of wireless and other telecommunications capabilities used for telework purposes; and

“(4) the General Services Administration shall—

“(A) maintain a central, publicly available telework website to be jointly controlled and funded by the General Services Administration and the Office of Personnel Management; and

“(B) include on that website any regulations relating to telework and any other information the General Services Administration and the Office of Personnel Management consider appropriate.

“§ 6504. Telework Managing Officer

“(a) APPOINTMENT AND COMPENSATION.—

“(1) IN GENERAL.—Each agency may appoint an officer to be known as the ‘Telework Managing Officer’. If an agency appoints a Telework Managing Officer, such Officer—

“(A) shall be appointed—

“(i) by the Chief Human Capital Officer of such agency; or

“(ii) if none, by the head of such agency; and

“(B) shall be compensated at a rate not less than the minimum rate of basic pay for grade GS-15 of the General Schedule.

“(2) WAIVER.—The Administrator of General Services may waive the minimum rate requirement under paragraph (1)(B) with respect to an agency if such agency has fewer than 100 employees (determined on a full-time equivalent basis) and the head of such agency certifies that being required to comply with paragraph (1)(B) would adversely impact agency operations.

“(b) LIMITATIONS.—An individual may not hold the position of Telework Managing Officer as a noncareer appointee (as defined in section 3132(a)(7)), and such position may not be considered or determined to be of a confidential, policy-determining, policy-making, or policy-advocating character.

“(c) DUTIES AND RESPONSIBILITIES.—The duties and responsibilities of the Telework Managing Officer of an agency shall be as follows:

“(1) Serving as—

“(A) an advisor on teleworking to the head of such agency and to the Chief Human Capital Officer of such agency (if any);

“(B) a resource on teleworking for supervisors, managers, and employees of such agency; and

“(C) the agency’s primary point of contact on teleworking matters for employees of such agency, Congress, and other agencies.

“(2) Ensuring that the agency’s teleworking policy is communicated effectively to employees.

“(3) Ensuring that electronic or written notification is provided to each employee of specific telework programs and the agency’s teleworking policy, including authorization criteria and application procedures.

“(4) Developing and administering a tracking system for compliance with Government-wide telework reporting requirements.

“(5) Providing to the Comptroller General and to the Administrator of General Services such information as the Comptroller General

may require to prepare the annual reports under section 6505(b).

“(6) Establishing a system for receiving feedback from agency employees on the agency’s telework policy.

“(7) Developing and implementing a program to identify and remove barriers to telework and to maximize telework opportunities in the agency.

“(8) Ensuring that employees are notified of grievance procedures available to them (if any) with respect to any disputes that relate to telework.

“(9) Performing such other duties and responsibilities relating to telework as the head of the agency may require.

“(d) ALTERNATIVE TO TELEWORK MANAGING OFFICER.—If no Telework Managing Officer is appointed under subsection (a) with respect to an agency, the duties and responsibilities of a Telework Managing Officer shall be carried out by the Chief Human Capital Officer of, or a career employee in, such agency, as determined by the agency head.

“§ 6505. Evaluating telework in agencies

“(a) IN GENERAL.—The Comptroller General shall establish a system for evaluating—

“(1) the telework policy of each agency; and

“(2) employee participation in telework programs at each agency.

“(b) ANNUAL REPORT.—The Comptroller General shall, based on the system established under subsection (a), submit an annual report to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate. Each report under this subsection shall, with respect to the period covered by such report—

“(1) evaluate the telework policy of each agency;

“(2) for each agency, indicate the total number of employees in such agency and identify—

“(A) the number and percentage of employees who were eligible to telework;

“(B) the number and percentage of employees who teleworked an average of at least once a week on a regular basis, determined based on time spent actually teleworking;

“(C) the number and percentage of employees who teleworked an average of at least 20 percent of the hours that they worked in every 2 administrative workweeks, determined based on time spent actually teleworking;

“(D) the number and percentage of employees who teleworked at least once a month on a regular basis, determined based on time spent actually teleworking;

“(E) the number and percentage of employees who were not authorized to telework and the reasons why they were not so authorized;

“(F) the number and percentage of employees who were authorized to telework and then later stopped teleworking, the reasons why those employees stopped teleworking, and whether their stopping was voluntary or due to other factors, such as office coverage needs or productivity;

“(G) the extent to which barriers to maximizing teleworking opportunities have been identified and eliminated;

“(H) the impact (if any) of the agency’s telework policy on the recruitment and retention of employees;

“(I) the impact (if any) of the agency’s telework policy on the performance of agency employees; and

“(J) the level of employee satisfaction with the agency’s telework policy, determined based on employee feedback;

“(3) evaluate the compliance of each agency with the requirements of this chapter; and

“(4) identify best practices in agency telework programs.

A report under this subsection shall be submitted for the year in which the regulations under section 6502(a)(2)(A) take effect and for each of the 4 succeeding years. Each such report shall be submitted within 6 months after the end of the year to which it relates.

“(c) MINIMUM REQUIREMENT FOR COMPLIANCE.—For purposes of subsection (b)(3), an agency shall not be considered to be in compliance with the requirements of this chapter unless the employees of such agency who were authorized to telework were permitted to telework for at least 20 percent of the hours that they worked in every 2 administrative workweeks (disregarding any workweeks for which such employees did not submit a request or for which they were otherwise ineligible to telework).

“§ 6506. Continuity of operations

“(a) IN GENERAL.—The head of each agency shall ensure that—

“(1) to the maximum extent practicable, telework is incorporated into the continuity of operations planning of such agency; and

“(2) mission critical personnel, as determined by the head of such agency, are equipped to telework in time of a catastrophe.

“(b) COORDINATION RULE.—The continuity of operations plan of an agency shall supersede any telework policy of such agency to the extent that they are inconsistent with one another.

“(c) AGENCY DEFINED.—For purposes of carrying out subsection (a)(2), the term ‘agency’ means an agency named in paragraph (1) or (2) of section 901(b) of title 31.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1) The analysis for part III of title 5, United States Code, is amended by inserting after the item relating to chapter 63 the following:

“65. Telework 6501”.

(2) Section 622 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005, as contained in the Consolidated Appropriations Act, 2005 (5 U.S.C. 6120 note) is amended by striking “designate a ‘Telework Coordinator’ to be” and inserting “appoint a Telework Managing Officer or designate the Chief Human Capital Officer or other career employee to be”.

SEC. 3. CHIEF HUMAN CAPITAL OFFICERS COUNCIL.

(a) IN GENERAL.—Chapter 14 of title 5, United States Code, is amended by adding at the end the following:

“SUBCHAPTER II—CHIEF HUMAN CAPITAL OFFICERS COUNCIL

“§ 1421. Chief Human Capital Officers Council

“(a) ESTABLISHMENT.—There is established a Chief Human Capital Officers Council, consisting of—

“(1) the Director of the Office of Personnel Management, who shall act as chairperson of the Council;

“(2) the Deputy Director for Management of the Office of Management and Budget, who shall act as vice chairperson of the Council;

“(3) the Administrator of General Services; and

“(4) the Chief Human Capital Officers of Executive departments and any other members who are designated by the Director of the Office of Personnel Management.

“(b) FUNCTIONS.—The Chief Human Capital Officers Council shall meet periodically to advise and coordinate the activities of the agencies of its members on such matters as modernization of human resources systems, improved quality of human resources information, telework (as defined by section 6501),

and legislation affecting human resources operations and organizations.

“(c) EMPLOYEE LABOR ORGANIZATIONS AT MEETINGS.—The Chief Human Capital Officers Council shall ensure that representatives of Federal employee labor organizations are present at a minimum of 1 meeting of the Council each year. Such representatives shall not be members of the Council.

“(d) ANNUAL REPORT.—Each year, the Chief Human Capital Officers Council shall submit a report to Congress on the activities of the Council.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1) Chapter 14 of title 5, United States Code, is amended by striking the matter before section 1401 and inserting the following:

“CHAPTER 14—CHIEF HUMAN CAPITAL OFFICERS

“SUBCHAPTER I—AGENCY CHIEF HUMAN CAPITAL OFFICERS

“Sec.

“1401. Establishment of agency Chief Human Capital Officers.

“1402. Authority and functions of agency Chief Human Capital Officers.

“SUBCHAPTER II—CHIEF HUMAN CAPITAL OFFICERS COUNCIL

“1421. Chief Human Capital Officers Council.

“SUBCHAPTER I—AGENCY CHIEF HUMAN CAPITAL OFFICERS”.

(2) The analysis for part II of title 5, United States Code, is amended by striking the item relating to chapter 14 and inserting the following:

“14. Chief Human Capital Officers 1401”.

(3) Section 1303 of Public Law 107-296 (5 U.S.C. 1401 note) is repealed.

SEC. 4. REPORTING REQUIREMENT.

(a) INCORPORATION OF TELEWORK INTO CONTINUITY OF OPERATIONS PLANNING.—Within 12 months after the effective date of the regulations under section 6502(a)(2)(A) of title 5, United States Code (as amended by section 2), the General Services Administration, in coordination with the Office of Personnel Management, the Federal Emergency Management Agency, and the Chief Human Capital Officers Council, shall report to the appropriate committees of Congress on the incorporation of telework into agencies’ continuity of operations planning, including—

(1) the extent to which such incorporation has occurred within each of the respective agencies;

(2) the extent to which each agency has conducted continuity of operations tests and exercises incorporating telework for essential and non-essential personnel;

(3) the extent to which agencies have used telework in response to emergencies; and

(4) any recommendations the General Services Administration considers appropriate.

(b) DEFINITIONS.—For purposes of this section—

(1) the term “appropriate committees of Congress” means the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the terms “telework” and “continuity of operations” have the meanings given those terms by section 6501 of title 5, United States Code (as amended by section 2); and

(3) the term “agency” means an agency named in paragraph (1) or (2) of section 901(b) of title 31, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. Foxx) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I introduced H.R. 4106 on November 7, 2007, to improve the efficiency of the Federal workforce by allowing more employees to telework.

Telework has a number of benefits for both agencies and employees. A happy workforce is a productive workforce, and giving employees the opportunity to telework can help boost productivity by cutting down on commuting time, reducing absenteeism, and allowing for greater organizational flexibility.

Improving telework can also help reduce pollution, traffic congestion, and the significant financial burdens that Federal employees face from high gas prices.

Unfortunately, telework is not being used to the fullest extent, and according to a report on telework released by the Office of Personnel Management in December 2007, only 6 percent of Federal employees participated in telework programs in 2006.

H.R. 4106 will improve telework in many key ways, while also allowing the government to maintain security of government information and to uphold performance standards. The bill defines telework and requires the Government Accountability Office to evaluate agency telework programs.

The bill requires the head of each agency to establish a telework policy authorizing employees to telework. The bill sets a consistent standard by providing that an agency will only be considered to be in compliance with the bill’s requirements if employees who are authorized the telework are allowed to do so at least 20 percent of the hours worked in every two workweeks.

Under H.R. 4106, each agency is required to either appoint a telework managing officer or designate their chief human capital officer or a career employee to carry out the responsibilities of a telework managing officer who will serve as the agency’s primary point of contact on telework.

The bill also improves the ability of the government to respond to emergencies by requiring larger agencies to incorporate telework into their continuity of operations plans.

This bipartisan bill was amended and approved by the Oversight Committee by a voice vote on March 13, 2008. A number of changes were made during the committee’s consideration of the bill to address suggestions raised by the ranking minority member of the

committee, Representative TOM DAVIS, such as requiring that essential personnel be equipped to telework during a catastrophe.

We are considering the bill today with an amendment that makes further changes to the bill based on feedback from the Office of Personnel Management. For example, the amendment clarifies the definition of continuity of operations to cover a situation such as the 2006 flooding of the Internal Revenue Service headquarters building. The amendment also requires GSA and OPM to jointly find and operate a central telework Web site.

This bill will allow more Federal employees to telework but at the same time ensures that agencies have the necessary flexibility, guidance, and oversight.

And so, Mr. Speaker, I urge swift passage of H.R. 4106.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to speak on H.R. 4106, the Telework Improvements Act of 2008. This legislation is designed to encourage more Federal employees to participate in telework programs. This legislation moved through committee, and I understand Chairman WAXMAN worked with Ranking Member TOM DAVIS to make several improvements to this legislation.

Getting serious about promoting telework is a major step in the right direction, but telework only indirectly addresses the problem of soaring gas prices. Mr. Speaker, gas prices have gone up \$1.63 since Democrats took control of this House last January, and as far as anybody knows, Democrats still have no plan to address this problem.

The Republicans, on the other hand, stand ready to address the problem with a blueprint that promotes alternative and renewable fuels, harnesses technologies already being employed successfully by many of our global competitors, and encourages responsible oil and gas exploration designed to unlock America’s natural energy resources and end our dependence on foreign fuel imports.

I remain concerned that none of the bills being considered today do anything to address the pain at the pump currently facing our Nation.

American families and small businesses are begging Congress to throw them a life preserver amid today’s soaring gas prices, but no relief is in sight. No wonder Americans believe Washington is broken.

Most Americans believe it is past time to start addressing the real problems facing American families. I note with some disappointment that not a single piece of legislation to help lower gas prices is on the House schedule this week.

I reserve the balance of my time.

□ 1545

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as

he might consume to a member of our subcommittee and a cosponsor of this legislation, Representative SARBANES from the State of Maryland.

Mr. SARBANES. I want to thank the chairman of our subcommittee, Representative DAVIS, for yielding this time.

Mr. Speaker, I rise today in support of H.R. 4106, the Telework Improvements Act of 2008.

As a daily commuter from Baltimore to the District of Columbia, I know how frustrating it can be to spend hours a day traveling. And with a focus on gas prices that we've heard repeatedly today, we need to explore pragmatic and innovative alternatives.

I've worked closely with Subcommittee Chairman DAVIS and with Chairman HENRY WAXMAN on this legislation, and I thank them for their leadership. Last year, when I offered a similar amendment to the energy bill, they helped to ensure that the amendment passed the House by voice vote, and I am pleased we will now pass this measure so that we can begin to expand telework options for the Federal workforce.

This is a win, win, win. A stronger telework policy will be good for the Federal Government, it will be good for the Federal worker, and of course it will be good for the environment. At a time when a large percentage of the Federal workforce is at or approaching retirement age, we need to recruit and retain the best and brightest of a new generation of workers. By crafting strong and effective telework policies, agencies can compete for these workers and retain them.

The U.S. Patent and Trademark Office and the Defense Information Systems Agency, which have some of the most robust telework policies in the Federal Government, are perfect examples of how agencies can utilize telework to recruit and retain a first-rate workforce. USPTO and DISA have retained workers, despite having a workforce that is in high demand elsewhere.

The private sector is still far ahead of the government in terms of embracing telework as a recruiting tool. We must catch up if we want to compete. In fact, the Federal Government can and should be a model employer and a driving force for increasing productivity while striking the right balance between family and work.

If you want to understand the competitive edge that comes from telework, you don't have to take my word for it, just listen to what one major CEO said. "What would I say to a CEO who resists greater employee flexibility because of concerns about loss of accountability and productivity? I would hope he was a competitor, and I would keep my mouth shut. Companies that don't believe in this are going to be trapped by it in the end." We don't want the Federal Government to be trapped either, and that's why it is important to embrace telework.

Telework is also beneficial to Federal workers by helping to improve quality of life and strike a better work/family balance. It would have the effect of giving back a couple hours a day to commuters who would otherwise be stuck in traffic, time they could spend with their families. At a time when gas prices are soaring, it could also have a profound economic benefit for families that are struggling in the current economic climate.

So again, in conclusion, I want to say that telework is a win, win, win. It's good for the Federal Government, it's good for the Federal workers, and it's great for our environment.

I am pleased the House has taken up this legislation, and look forward to working with the Senate to ensure that it becomes law.

Ms. FOXX. Mr. Speaker, while this legislation will give a break from high gas prices to some Federal employees, the vast majority of Americans have to use their cars to go to work and to other activities and are paying an average of \$4 a gallon, the highest prices in history, while the Democratically controlled Congress does nothing to help those hardworking Americans who struggle to do the right thing every day, but are receiving no assistance from the Democrat majority here.

Mr. Speaker, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, in closing, I once again want to commend the chairman of the Oversight Committee, Mr. WAXMAN from California, for his outstanding leadership and support. I also want to express appreciation to the ranking member, Mr. TOM DAVIS from Virginia, for his support and leadership.

I also want to thank all of the members of the subcommittee, especially the ranking member, Mr. MARCHANT, as well as all of the Members on both sides of the aisle. Our staffs have done a tremendous job of working through all of the snares that may have existed and have helped us shape a piece of legislation that I think is going to give enormous benefit to the American people. We are going to be able to cut down on the use of gasoline as people commute to and from work. We're going to be able to reduce pollution. And we're going to enhance the creation of a more desirable environment. So I thank all of those who have been a part of making this day possible. I urge passage of this legislation.

Mr. WOLF. Mr. Speaker, I rise in strong support of H.R. 4106, the Telework Improvements Act of 2008.

I would like to thank Congressman DANNY DAVIS for introducing this important and necessary legislation. I also want to recognize Chairman HENRY WAXMAN and Ranking Member TOM DAVIS on the Oversight and Movement Reform Committee for reporting out a good bill for our consideration today.

As many of my colleagues know, I have been a long-time and staunch supporter of telework or telecommuting. Telework offers a 21st century workplace option that can reduce

traffic congestion and air pollution, as well as cut gasoline consumption and dependency on foreign oil. Study after study has shown that telework benefits employees and employers. It gives employees the flexibility they need to meet daily demands.

Employers—both government and private businesses—get the benefit of increased productivity, improved morale, fewer sick leave days used, better worker retention, and reduced costs for office space.

My legislation enacted in 2001 mandated a phased-in program to expand the number of federal employees who telework with the goal of giving every eligible federal worker this workplace option by the end of 2005. While annual surveys by the Office of Personnel Management on telework by federal employees have shown some progress in meeting the law's mandate, there is much more that agencies can do to expand the number of federal telecommuters and this legislation is an important next step in making the Federal Government a model telework employer.

To emphasize the importance of telework in the federal workplace, when I chaired the Commerce-Justice-Science Appropriations subcommittee, I included provisions in the FY 2005, FY 2006 and FY 2007 spending bills for the departments of Commerce, Justice, and State and related agencies to withhold \$5 million from the agencies which fail to meet the 2001 law.

I am proud to be an original cosponsor and strong proponent of the Telework Improvements Act that we are considering today. It will require the head of each executive agency to establish a policy under which employees may be authorized to telework and allow authorized employees to be allowed to telework at least 20 percent of the hours worked in every two administrative workweeks.

Given the soaring cost of gas, I can think of no better time for us to be passing this bill and encouraging further adoption of telework. In the Washington, D.C. metropolitan area, including my district in northern Virginia, telework has the added benefit of taking cars off the road and reducing congestion and air pollution. It is also a good policy to have in place for continuity of operations in the event of an emergency.

Mr. Speaker, I strongly urge my colleagues to vote in support of this legislation so that we can ensure that the federal workforce is making full use of teleworking.

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to speak in on H.R. 4106, the Telework Improvements Act of 2008. This issue has long been a struggle for many of us here in Congress, especially those Members representing the National Capital Region.

The problem is far too many federal agencies are missing the opportunity to promote teleworking among their employees. Ninety percent of the employees eligible to telework do not do so at this time.

With the vast majority of the federal government's workforce located here in the National Capital Region, utilizing telework will have an immediate and dramatic impact on the traffic congestion in the region. It will also increase worker productivity as our Federal workforce spends less time commuting to and from work every day. As an added benefit, keeping people off the roads will reduce our carbon emissions. Everybody benefits, not just the teleworkers.

Several improvements were made to this legislation during Committee consideration, many at my request. First, the reported version includes stronger language regarding the protection of information being accessed through remote networks. This IT security language is important to reassure the general public that, as we promote the use of telework in federal agencies, the government is taking necessary steps to make sure personal information is safeguarded.

Second, the reported version requires agencies to further integrate telework into their continuity of operations planning by making sure mission critical personnel are prepared to telework in the event of a major disaster, such as a terrorist attack or an outbreak of the pandemic flu.

Third, the reported version tasks the Chief Human Capital Officers Council with being a central coordinator of best practices for agencies regarding telework.

Fourth, the reported version gives agencies some flexibility in determining how best to promote telework within their workforce by allowing them to either assign the telework responsibilities to the agency's Chief Human Capital Officer or to a career official at the agency.

Promoting the use of telework by our federal workforce will improve employee efficiency and ultimately lead to improved service to the American public, and I appreciate the majority's willingness to work with us on this legislation.

Mr. Speaker, I am happy to support this legislation and urge its adoption.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 4106, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FEDERAL FOOD DONATION ACT OF 2008

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2420) to encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2420

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Food Donation Act of 2008".

SEC. 2. PURPOSE.

The purpose of this Act is to encourage executive agencies and contractors of executive agencies, to the maximum extent prac-

ticable and safe, to donate excess, apparently wholesome food to feed food-insecure people in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPARENTLY WHOLESOME FOOD.—The term "apparently wholesome food" has the meaning given the term in section 2(b) of the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791(b)).

(2) EXCESS.—The term "excess", when applied to food, means food that—

(A) is not required to meet the needs of executive agencies; and

(B) would otherwise be discarded.

(3) FOOD-INSECURE.—The term "food-insecure" means inconsistent access to sufficient, safe, and nutritious food.

(4) NONPROFIT ORGANIZATION.—The term "nonprofit organization" means any organization that is—

(A) described in section 501(c) of the Internal Revenue Code of 1986; and

(B) exempt from tax under section 501(a) of that Code.

SEC. 4. PROMOTING FEDERAL FOOD DONATION.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Federal Acquisition Regulation issued in accordance with section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) shall be revised to provide that all contracts above \$25,000 for the provision, service, or sale of food in the United States, or for the lease or rental of Federal property to a private entity for events at which food is provided in the United States, shall include a clause that—

(1) encourages the donation of excess, apparently wholesome food to nonprofit organizations that provide assistance to food-insecure people in the United States; and

(2) states the terms and conditions described in subsection (b).

(b) TERMS AND CONDITIONS.—

(1) COSTS.—In any case in which a contractor enters into a contract with an executive agency under which apparently wholesome food is donated to food-insecure people in the United States, the head of the executive agency shall not assume responsibility for the costs and logistics of collecting, transporting, maintaining the safety of, or distributing excess, apparently wholesome food to food-insecure people in the United States under this Act.

(2) LIABILITY.—An executive agency (including an executive agency that enters into a contract with a contractor) and any contractor making donations pursuant to this Act shall be exempt from civil and criminal liability to the extent provided under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 2420, the Federal Food Donation Act, is a modest meas-

ure designed to help address a very large problem, hunger in America. In 2005, 25 million people in this country, including 9 million children, had to rely on soup kitchens and other charitable feeding programs to help meet their nutritional needs.

S. 2420 is very similar to legislation introduced by Representative JO ANN EMERSON, H.R. 4220, which passed the House on a voice vote last December. It requires Federal agencies to include in their food service and space rental contracts a provision which encourages contractors to donate any surplus wholesome food to nonprofit organizations that provide assistance to the hungry. This bill builds on the work of some innovative nonprofit organizations and think tanks that have been conducting similar programs in the private sector.

The bill also includes provisions which would ensure that cost of collecting, transporting and storing donated food would not be borne by the Federal Government, and that executive agencies and contractors would be protected from civil or criminal liability.

I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to take up S. 2420, the Federal Food Donation Act. The House version of this legislation, H.R. 4220, was introduced by Representative JO ANN EMERSON and was passed by the House last December.

S. 2420 would require the Federal Acquisition Regulation to be amended to provide certain contracts for the provision, service or sale of food, include a clause encouraging the donation of excess food to organizations such as homeless shelters. In doing so, the legislation also states agencies and contractors making donations would be protected from civil or criminal liability associated with the donation.

Mrs. EMERSON has been a leader in the effort to relieve hunger in this Nation, and I applaud her dedication to this issue. I urge my colleagues to support this bill.

Mr. WOLF. Mr. Speaker, I rise in support of S. 2420, the Federal Food Donation Act of 2008. This bill would require a clause in federal food services contracts greater than \$25,000 to encouraging donations to nonprofit organizations, such as food banks and food pantries.

I have been active in the fight against hunger for over two decades. Following my first visit to Ethiopia during its famine in 1984, I worked across the aisle to fight hunger both at home and abroad. I was pleased to work for the passage of the Bill Emerson Good Samaritan Act of 1996 that protected organizations donating food to charitable organizations from liability in order to spur greater donations.

However, I am concerned that rising food commodity prices and gasoline prices could hamper efforts by food banks and food pantries to meet the needs of the hungry. In meeting with charitable organizations in my congressional district, it is clear that the business

community and government agencies could be doing much more to support efforts to a growing number of families relying on food assistance from charitable organizations.

Anyone who has visited a grocery store in the last year understands the challenge our food banks are facing. U.S. grocery prices increased 5.1 percent overall during the last year, with a 17-percent increase in cost for dairy products, a 13-percent increase for rice and pasta, and a 12-percent increase in the cost of breads. This has a tremendous impact on the bottom line for American families. For example, if a family earns \$45,000 a year, it now costs them an extra \$1,000 to maintain the same food, gas, and basic goods purchases compared to 2006—a 9.6-percent increase. This makes more families dependent on food assistance, and even more affluent families less likely to donate to food banks and food pantries.

I am proud that the food banks and food pantries, grocery stores, and chambers of commerce in my district are coming together to raise awareness of this challenge and develop community-based solutions. Given the large federal agency presence in my district, I believe that this bill will help supplement their efforts.

Mr. Speaker, I urge my colleagues to join me in supporting this pragmatic and necessary legislation.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, I yield back the balance of my time and urge my colleagues to support this measure.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the Senate bill, S. 2420.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

FEDERAL AGENCY DATA PROTECTION ACT

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4791) to amend title 44, United States Code, to strengthen requirements for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4791

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Federal Agency Data Protection Act”.

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Purpose.

Sec. 3. Definitions.

Sec. 4. Authority of Director of Office of Management and Budget to establish information security policies and procedures.

Sec. 5. Responsibilities of Federal agencies for information security.

Sec. 6. Federal agency data breach notification requirements.

Sec. 7. Protection of government computers from risks of peer-to-peer file sharing.

Sec. 8. Annual independent audit.

Sec. 9. Best practices for privacy impact assessments.

Sec. 10. Implementation.

SEC. 2. PURPOSE.

The purpose of this Act is to protect personally identifiable information of individuals that is maintained in or transmitted by Federal agency information systems.

SEC. 3. DEFINITIONS.

(a) *PERSONALLY IDENTIFIABLE INFORMATION AND MOBILE DIGITAL DEVICE DEFINITIONS.*—Section 3542(b) of title 44, United States Code, is amended by adding at the end the following new paragraphs:

“(4) The term ‘personally identifiable information’, with respect to an individual, means any information about the individual maintained by an agency, including information—

“(A) about the individual’s education, finances, or medical, criminal, or employment history;

“(B) that can be used to distinguish or trace the individual’s identity, including name, social security number, date and place of birth, mother’s maiden name, or biometric records; or

“(C) that is otherwise linked or linkable to the individual.

“(5) The term ‘mobile digital device’ includes any device that can store or process information electronically and is designed to be used in a manner not limited to a fixed location, including—

“(A) processing devices such as laptop computers, communication devices, and other handheld computing devices; and

“(B) storage devices such as portable hard drives, CD-ROMs, DVDs, and other portable electronic media.”

(b) *CONFORMING AMENDMENTS.*—Section 208 of the E-Government Act of 2002 (Public Law 107-347; 44 U.S.C. 3501 note) is amended—

(1) in subsection (b)(1)(A)—

(A) in clause (i), by striking “information that is in an identifiable form” and inserting “personally identifiable information”; and

(B) in clause (ii)(II), by striking “information in an identifiable form permitting the physical or online contacting of a specific individual” and inserting “personally identifiable information”;

(2) in subsection (b)(2)(B)(i), by striking “information that is in an identifiable form” and inserting “personally identifiable information”;

(3) in subsection (b)(3)(C), by striking “information that is in an identifiable form” and inserting “personally identifiable information”; and

(4) in subsection (d), by striking the text and inserting “In this section, the term ‘personally identifiable information’ has the meaning given that term in section 3542(b)(4) of title 44, United States Code.”

SEC. 4. AUTHORITY OF DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET TO ESTABLISH INFORMATION SECURITY POLICIES AND PROCEDURES.

Section 3543(a) of title 44, United States Code, is amended—

(1) by inserting before the semicolon at the end of paragraph (5) the following: “, including plans and schedules, developed by the agency on the basis of priorities for addressing levels of identified risk, for conducting—

“(A) testing and evaluation, as required under section 3544(b)(5); and

“(B) remedial action, as required under section 3544(b)(6), to address deficiencies identified by such testing and evaluation”; and

(2) by adding at the end the following:

“(9) establishing minimum requirements regarding the protection of personally identifiable information maintained in or transmitted by mobile digital devices, including requirements for the use of technologies that efficiently and effectively render information unusable by unauthorized persons;

“(10) requiring agencies to comply with—

“(A) minimally acceptable system configuration requirements consistent with best practices, including checklists developed under section 8(c) of the Cyber Security Research and Development Act (Public Law 107-305; 116 Stat. 2378) by the Director of the National Institute of Standards and Technology; and

“(B) minimally acceptable requirements for periodic testing and evaluation of the implementation of such configuration requirements;

“(11) ensuring that agency contracts for (or involving or including) the provision of information technology products or services include requirements for contractors to meet minimally acceptable configuration requirements, as required under paragraph (10);

“(12) ensuring the establishment through regulation and guidance of contract requirements to ensure compliance with this subchapter with regard to providing information security for information and information systems used or operated by a contractor of an agency or other organization on behalf of the agency; and”.

SEC. 5. RESPONSIBILITIES OF FEDERAL AGENCIES FOR INFORMATION SECURITY.

Section 3544(b) of title 44, United States Code, is amended—

(1) in paragraph (2)(D)(iii), by striking “as determined by the agency” and inserting “as required by the Director under section 3543(a)(10)”;

(2) in paragraph (5)—

(A) by inserting after “annually” the following: “and as approved by the Director”;

(B) by striking “and” at the end of subparagraph (A);

(C) by redesignating subparagraph (B) as subparagraph (D); and

(D) by inserting after subparagraph (A) the following:

“(B) shall include testing and evaluation of system configuration requirements as required under section 3543(a)(10);

“(C) shall include testing of systems operated by a contractor of the agency or other organization on behalf of the agency, which testing requirement may be satisfied by independent testing, evaluation, or audit of such systems; and”;

(3) by striking “and” at the end of paragraph (7);

(4) by striking the period at the end of paragraph (8) and inserting a semicolon; and

(5) by adding at the end the following:

“(9) plans and procedures for ensuring the adequacy of information security protections for systems maintaining or transmitting personally identifiable information, including requirements for—

“(A) maintaining a current inventory of systems maintaining or transmitting such information;

“(B) implementing information security requirements for mobile digital devices maintaining or transmitting such information, as required by the Director (including the use of technologies rendering data unusable by unauthorized persons); and

“(C) developing, implementing, and overseeing remediation plans to address vulnerabilities in information security protections for such information;”.

SEC. 6. FEDERAL AGENCY DATA BREACH NOTIFICATION REQUIREMENTS.

(a) *AUTHORITY OF DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET TO ESTABLISH DATA BREACH POLICIES.*—Section 3543(a) of title 44, United States Code, as amended by section 4, is further amended—

(1) by striking “and” at the end of paragraph (7);

(2) in paragraph (8)—
(A) by striking “and” at the end of subparagraph (D);

(B) by striking the period and inserting “; and” at the end of subparagraph (E); and

(C) by adding at the end the following new subparagraph:

“(F) a summary of the breaches of information security reported by agencies to the Director and the Federal information security incident center pursuant to paragraph (13);”;

(3) by adding at the end the following:

“(13) establishing policies, procedures, and standards for agencies to follow in the event of a breach of data security involving the disclosure of personally identifiable information, specifically including—

“(A) a requirement for timely notice to be provided to those individuals whose personally identifiable information could be compromised as a result of such breach, except no notice shall be required if the breach does not create a reasonable risk—

“(i) of identity theft, fraud, or other unlawful conduct regarding such individual; or

“(ii) of other harm to the individual;”

“(B) guidance on determining how timely notice is to be provided;”

“(C) guidance regarding whether additional special actions are necessary and appropriate, including data breach analysis, fraud resolution services, identify theft insurance, and credit protection or monitoring services; and

“(D) a requirement for timely reporting by the agencies of such breaches to the Director and Federal information security center.”.

(b) **AUTHORITY OF CHIEF INFORMATION OFFICER TO DEVELOP AND MAINTAIN INVENTORIES.**—Section 3544(a)(3) of title 44, United States Code, is amended—

(1) by inserting after “authority to ensure compliance with” the following: “and, to the extent determined necessary and explicitly authorized by the head of the agency, to enforce”;

(2) by striking “and” at the end of subparagraph (D);

(3) by inserting “and” at the end of subparagraph (E); and

(4) by adding at the end the following:

“(F) developing and maintaining an inventory of all personal computers, laptops, or any other hardware containing personally identifiable information;”.

(c) **INCLUSION OF DATA BREACH NOTIFICATION.**—Section 3544(b) of title 44, United States Code, as amended by section 5, is further amended by adding at the end the following:

“(10) procedures for notifying individuals whose personally identifiable information may have been compromised or accessed following a breach of information security; and

“(11) procedures for timely reporting of information security breaches involving personally identifiable information to the Director and the Federal information security incident center.”.

(d) **AUTHORITY OF AGENCY CHIEF HUMAN CAPITAL OFFICERS TO ASSESS FEDERAL PERSONAL PROPERTY.**—Section 1402(a) of title 5, United States Code, is amended—

(1) by striking “, and” at the end of paragraph (5) and inserting a semicolon;

(2) by striking the period and inserting “; and” at the end of paragraph (6); and

(3) by adding at the end the following:

“(7) prescribing policies and procedures for exit interviews of employees, including a full accounting of all Federal personal property that was assigned to the employee during the course of employment.”.

SEC. 7. PROTECTION OF GOVERNMENT COMPUTERS FROM RISKS OF PEER-TO-PEER FILE SHARING.

(a) **PLANS REQUIRED.**—As part of the Federal agency responsibilities set forth in sections 3544 and 3545 of title 44, United States Code, the head of each agency shall develop and implement a plan to ensure the security and privacy of information collected or maintained by or on

behalf of the agency from the risks posed by certain peer-to-peer file sharing programs.

(b) **CONTENTS OF PLANS.**—Such plans shall set forth appropriate methods, including both technological (such as the use of software and hardware) and nontechnological methods (such as employee policies and user training), to achieve the goal of securing and protecting such information from the risks posed by peer-to-peer file sharing programs.

(c) **IMPLEMENTATION OF PLANS.**—The head of each agency shall—

(1) develop and implement the plan required under this section as expeditiously as possible, but in no event later than six months after the date of the enactment of this Act; and

(2) review and revise the plan periodically as necessary.

(d) **REVIEW OF PLANS.**—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall—

(1) review the adequacy of the agency plans required by this section; and

(2) submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the results of the review, together with any recommendations the Comptroller General considers appropriate.

(e) **DEFINITIONS.**—In this section:

(1) **PEER-TO-PEER FILE SHARING PROGRAM.**—The term “peer-to-peer file sharing program” means computer software that allows the computer on which such software is installed (A) to designate files available for transmission to another such computer, (B) to transmit files directly to another such computer, and (C) to request the transmission of files from another such computer. The term does not include the use of such software for file sharing between, among, or within Federal, State, or local government agencies in order to perform official agency business.

(2) **AGENCY.**—The term “agency” has the meaning provided by section 3502 of title 44, United States Code.

SEC. 8. ANNUAL INDEPENDENT AUDIT.

(a) **REQUIREMENT FOR AUDIT INSTEAD OF EVALUATION.**—Section 3545 of title 44, United States Code, is amended—

(1) in the section heading, by striking “evaluation” and inserting “audit”; and

(2) in paragraphs (1) and (2) of subsection (a), by striking “evaluation” and inserting “audit” both places it appears.

(b) **ADDITIONAL SPECIFIC REQUIREMENTS FOR AUDITS.**—Section 3545(a) of such title is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking “subset of the agency’s information systems;” and inserting the following: “subset of—

“(i) the information systems used or operated by the agency; and

“(ii) the information systems used, operated, or supported on behalf of the agency by a contractor of the agency, any subcontractor (at any tier) of such a contractor, or any other entity;”;

(B) in subparagraph (B), by striking “and” at the end;

(C) in subparagraph (C), by striking the period and inserting “; and”; and

(D) by adding at the end the following new subparagraph:

“(D) a conclusion whether the agency’s information security controls are effective, including an identification of any significant deficiencies in such controls.”; and

(2) by adding at the end the following new paragraph:

“(3) Each audit under this section shall conform to generally accepted government auditing standards.”.

(c) **CONFORMING AMENDMENTS.**—

(1) Each of the following provisions of section 3545 of title 44, United States Code, is amended

by striking “evaluation” and inserting “audit” each place it appears:

(A) Subsection (b)(1).

(B) Subsection (b)(2).

(C) Subsection (c).

(D) Subsection (e)(1).

(E) Subsection (e)(2).

(2) Section 3545(d) of such title is amended to read as follows:

“(d) **EXISTING AUDITS.**—The audit required by this section may be based in whole or in part on an audit relating to programs or practices of the applicable agency.”.

(3) Section 3545(f) of such title is amended by striking “evaluators” and inserting “auditors”.

(4) Section 3545(g)(1) of such title is amended by striking “evaluations” and inserting “audits”.

(5) Section 3545(g)(3) of such title is amended by striking “Evaluations” and inserting “Audits”.

(6) Section 3543(a)(8)(A) of such title is amended by striking “evaluations” and inserting “audits”.

(7) Section 3544(b)(5)(D) of such title (as redesignated by section 5(2)(C)) is amended by striking “a evaluation” and inserting “an audit”.

SEC. 9. BEST PRACTICES FOR PRIVACY IMPACT ASSESSMENTS.

Section 208(b)(3) of the E-Government Act of 2002 (Public Law 107-347; 44 U.S.C. 3501 note) is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(D) develop best practices for agencies to follow in conducting privacy impact assessments.”.

SEC. 10. IMPLEMENTATION.

Except as otherwise specifically provided in this Act, implementation of this Act and the amendments made by this Act shall begin not later than 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the Subcommittee of Information Policy, Census and National Archives, I am pleased to join my colleagues in the consideration of H.R. 4791, the Federal Agency Data Protection Act, a bill to protect personally identifiable information of individuals that is maintained in or transmitted by Federal agency information systems.

H.R. 4791, which I introduced along with Chairman HENRY WAXMAN and Representative ED TOWNS on December 18, 2007, was reported from the Committee on Oversight and Government Reform on May 21, 2008. I want to also thank Ranking Member TOM DAVIS for working with us on this legislation, especially on the notification provision.

Despite progress made with the implementation of the Federal Information Security Management Act, or FISMA, GAO found that pervasive weaknesses continue to exist primarily because agencies fail to maintain secure IT networks. As a result, GAO concluded that Federal financial data are at risk of unauthorized modification or destruction, sensitive information at risk of inappropriate disclosure, and critical operations at risk of disruption.

H.R. 4791 would secure our agencies' IT access and require an annual audit of agency programs. The bill would also establish a comprehensive definition for "personally identifiable information" and mandate that agencies notify individuals when their personal information is accessed in a data breach.

Mr. Speaker, in light of today's report that 1,000 patients at Walter Reed Army Medical Center and other military hospitals had their names, Social Security numbers and birth dates exposed in a security breach, this is a timely measure that provides Americans with some assurance that the Federal Government will work diligently to protect their personal information.

I urge the swift passage of H.R. 4791.

Mr. Speaker, I reserve the balance of my time.

□ 1600

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to speak on H.R. 4791, the Federal Agency Data Protection Act. While we appreciate the majority's willingness to incorporate several suggestions from our side such as including language from H.R. 2124, Representative TOM DAVIS' Federal Agency Data Breach Protection Act, we remain concerned that this legislation misses some key opportunities to advance legislation which truly strengthens our Federal information security laws.

But, Mr. Speaker, I rise today to speak on a much more pressing issue, an issue of great concern to all Americans.

With gas prices soaring to \$3.98 per gallon over the weekend, according to AAA, the House returned officially from Memorial Day break today, but believe it or not, not a single piece of legislation to help lower gas prices is on the House schedule this week. This is particularly amazing since then Minority Leader NANCY PELOSI promised the American people "a commonsense plan" to lower gas prices way back in April, 2006. And it's particularly troubling since House Republicans unveiled a comprehensive plan to lower gas prices 2 weeks ago and has promoted that plan across the country during last week's Memorial Day recess.

Instead of delivering on their April, 2006, promise, however, the Democrats in charge of Congress have delivered only a staggering \$1.65 Pelosi premium, meaning consumers are forced to pay

\$1.65 more per gallon of gasoline compared to what they paid on January 4, 2007, the Democrats' first day in the majority.

For an average family that fills up its two cars once a week, that's an astronomical 2,574 more dollars per year that they are forced to pay at the pump. That's \$2,574 less that families have for their children's educational expenses; \$2,574 less for family vacations this summer; and \$2,574 less for food costs, which also are skyrocketing.

No wonder Democrats are continuing to feel the heat for doing nothing, nothing, to address the rising cost of gasoline.

Let me quote part of a column in Monday's New Hampshire Union Leader about what Congress has done to contribute to American families' and small businesses' pain at the pump:

"Congress has prevented the drilling in the Alaska National Wildlife Refuge, which could be providing 1 million gallons of oil per day. Congress has put 85 percent of the U.S. coastal areas off-limits for drilling. Congress has recently prohibited the processing of oil shale, which could provide substantial quantities of oil economically . . .

"To sum it up, Congress has done nothing to help but lots to increase on our dependence on foreign oil and increase the price Americans pay for oil and gas."

An op-ed published over the weekend in the Athens, Georgia, Banner-Herald makes the case that the Democratic Congress has contributed to the recent surge in gas prices:

"Drilling is prohibited in the Alaska National Wildlife Refuge, a potential source of 1 million barrels a day, 5 percent of America's daily oil consumption. Also off-limits is 85 percent of America's coastline.

"Americans deserve to know the story, in all its gory details, of what their government has done and is doing to cause high prices at the pump and to make gasoline, indeed, all energy, more scarce and more expensive in the future."

Indeed, while Democrats have offered nothing more than broken promises and policies that drive up gas prices, House Republicans have unveiled a comprehensive plan for lower gas prices and energy independence. The GOP blueprint promotes alternative and renewable fuels, harnesses technologies already being employed successfully by our global competitors, and unlocks America's natural energy resources through the responsible exploration of oil and gas in the United States, a reform backed by the majority of Americans, according to a new Gallup Poll. How much longer will Democrats ignore the will of the American people by keeping the House Republicans' plan off the House floor?

Another quote from the Charleston, West Virginia, Daily Mail: "Doing Nothing is What Democrats in Congress Have Specialized in, and That's

One of the Reasons Gasoline Costs \$4 Per Gallon."

Mr. Speaker, we can stand here and deal with a lot of issues that we're dealing with this week, but we need to get to the issues that the American people want us to deal with, and that's the soaring price of gasoline and energy costs.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, in closing, I want to urge the House to support this bill, H.R. 4791, and to say that the American people expect that personal information that they share with their government should be kept private and should be protected, and this bill will ensure that that information is protected.

Mr. DAVIS of Virginia. Mr. Speaker, secure information is the lifeblood of effective government. But we've seen a wide range of incidents involving data loss or theft, privacy breaches, and security incidents at Federal agencies.

In almost all of these cases, Congress and the public would not have learned of these events had we not requested the information. After all, despite the volume of sensitive information held by agencies—tax returns, military records, health records, to name a few—there currently is no requirement that agencies notify citizens whose personal information may have been compromised. We need to ensure the public knows when its sensitive personal information has been lost or compromised.

Therefore I am pleased we incorporated my legislation, H.R. 2124, which requires timely notice be provided to individuals whose sensitive personal information could be compromised by a breach of data security at a Federal agency.

In addition to focusing on ensuring adequate protection of individuals' personal information held by the Federal Government, I have also spent years focusing on general, government-wide information management and security policy.

For example, the Privacy Act and the E-Government Act of 2002 outline the parameters for the protection of personal information. The Federal Information Security Management Act (FISMA), which I authored, requires each agency to create a comprehensive risk-based approach to agency-wide information security management, through preparedness, evaluation, and reporting requirements.

These laws created a solid foundation for Federal information security, making security management an integral part of an agency's operations and ensuring agencies are actively using best practices to secure the Federal Government's systems.

But it is now incumbent upon us to take Federal information security to the next level—to find new and innovative ways to secure government information.

Unfortunately, I do not believe H.R. 4791 does enough. Most of the provisions contained in this bill are a grab bag of vague requirements, additional mandates, and misplaced priorities. It casts dynamic concepts in stone. And it gives agency personnel more boxes to check.

I have long called for a bill with teeth—and an opportunity to discuss and debate the overall issues associated with improving Federal

information security. I think we have missed some key opportunities in that regard.

For example: (1) We haven't seriously considered, to my knowledge, the need to pursue providing incentives for agency success—such as financial incentives for agencies which excel.

(2) We haven't given enough consideration, to my knowledge, to the need to pursue funding penalties and personnel reforms which provide real motivation for an agency to improve its information security.

(3) Although I've pushed the scorecards for many years, we need increased Congressional oversight of agency information security practices.

(4) Have we done enough to bring greater consistency across the IG community regarding standards and review regarding improved information security?

(5) And in our recent review of this issue, I do not believe we have considered, nor do we address, what I believe is one of the most important and complex problems associated with these issues: the difficulties faced by agency Chief Information Officers in their attempts to be successful and effective—both in terms of their status within their agencies and their underlying statutory authority.

(6) Also, have we taken a serious look at whether the creation of a Federal CIO or an Information Czar at OMB would improve the Federal Government's ability to handle and process information? I do not believe so.

Yesterday, OMB Deputy Director for Management, Clay Johnson, wrote to the Committee asking to work with us on a handful of concerns the Administration has with the current draft of the legislation. Although the majority did make important modifications, removing controversial provisions affecting data brokers for example, which were of particular concern to Representative MIKE TURNER, other areas still need to be addressed.

The Administration has expressed particular concern about the bill's codification of terms and requirements in statute, including the definition of "personally identifiable information" as well as various technology-specific provisions, including "personal digital devices" and "peer-to-peer file-sharing programs". I have long maintained that effective security legislation should be technology neutral to enable the government to adequately address constantly evolving threats and technologies. Ironically, we could find ourselves less secure as agencies are forced to meet outdated mandates and requirements. I trust the majority is willing to continue these discussions as the legislation moves forward.

Mr. Speaker, public confidence in government is essential. In the end, the public demands effective government. And effective government depends on secure information. I remain concerned that this legislation falls short in a number of these important areas.

Mr. CLAY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SALAZAR). The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 4791, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 6 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. McNULTY) at 6 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Concurrent Resolution 138, by the yeas and nays;

House Resolution 923, by the yeas and nays;

House Resolution 1114, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SUPPORTING NATIONAL MEN'S HEALTH WEEK

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 138, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 138, as amended.

The vote was taken by electronic device, and there were—yeas 362, nays 0, answered "present" 0, not voting 71, as follows:

[Roll No. 367]
YEAS—362

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)

Bean
Becerra
Berkley
Berman
Berry
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bonner
Bono Mack

Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyd (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)

Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson
Carter
Castle
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Feeney
Flake
Forbes
Fortenberry
Fossella
Foster
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller

Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoolley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kaptur
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
McCrery
McDermott
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim

Myrick
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Oliver
Ortiz
Pastor
Paul
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Upton
Van Hollen

Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Watson

Watt
Waxman
Welch (VT)
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)

Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—71

Andrews
Baca
Boehner
Boswell
Brown, Corrine
Cardoza
Castor
Cazayoux
Courtney
Crowley
Cubin
Doolittle
Edwards
Ellison
Emanuel
Everett
Ferguson
Filner
Gallegly
Gilchrest
Gillibrand
Grijalva
Gutierrez
Hinchey
Hulshof

Hunter
Inglis (SC)
Jackson-Lee
(TX)
Johnson (IL)
Jones (OH)
Kanjorski
Kennedy
Knollenberg
Larsen (WA)
Lee
Maloney (NY)
McCollum (MN)
McGovern
McNerney
Meek (FL)
Moran (VA)
Murtha
Musgrave
Nadler
Pallone
Pascrell
Payne
Pearce
Peterson (PA)

Pryce (OH)
Radanovich
Richardson
Rohrabacher
Roskam
Rothman
Rush
Sestak
Shadegg
Shuler
Sires
Smith (WA)
Udall (CO)
Udall (NM)
Velázquez
Wasserman
Schultz
Waters
Weiner
Weldon (FL)
Weller
Wilson (NM)
Young (FL)

□ 1857

Messrs. LINDER and MARKEY changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CAZAYOUX. Mr. Speaker, on rollcall No. 367, had I been present, I would have voted “yea.”

Mr. FILNER. Mr. Speaker, on rollcall 367, I was unable to vote because of pressing business with my constituents in my home district. Had I been present, I would have voted “yea.”

RECOGNIZING THE STATE OF MINNESOTA'S 150TH ANNIVERSARY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 923, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 923.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 363, nays 0, not voting 70, as follows:

[Roll No. 368]

YEAS—363

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri

Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)

Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis

Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Carnahan
Holden
Carney
Carson
Carter
Castle
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Feeney
Flake
Forbes
Fortenberry
Fossella
Foster

Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hereth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kaptur
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebback
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley (TX)
McCotter
McCrery

McDermott
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Oliver
Ortiz
Pastor
Paul
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)

Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Thompson (CA)

Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wamp
Watson

Watt
Waxman
Welch (VT)
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—70

Andrews
Baca
Boswell
Brown, Corrine
Cardoza
Castor
Cleaver
Courtney
Crowley
Cubin
Doolittle
Edwards
Ellison
Emanuel
Everett
Ferguson
Filner
Gallegly
Gilchrest
Gillibrand
Grijalva
Gutierrez
Hinchey
Hulshof

Hunter
Inglis (SC)
Jackson-Lee
(TX)
Johnson (IL)
Jones (OH)
Kanjorski
Kennedy
Knollenberg
Larsen (WA)
Lee
Maloney (NY)
McCollum (MN)
McGovern
McNerney
Meek (FL)
Murtha
Nadler
Pallone
Pascrell
Payne
Pearce
Peterson (PA)
Pryce (OH)

Radanovich
Richardson
Rohrabacher
Roskam
Rothman
Rush
Sestak
Shadegg
Shuler
Sires
Smith (WA)
Terry
Udall (CO)
Udall (NM)
Velázquez
Walsh (NY)
Wasserman
Schultz
Waters
Weiner
Weldon (FL)
Weller
Wilson (NM)
Young (FL)

□ 1904

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 368, I was unable to vote because of pressing business with my constituents in my home district. Had I been present, I would have voted “yea.”

SUPPORTING THE GOALS AND IDEALS OF THE ARBOR DAY FOUNDATION AND NATIONAL ARBOR DAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1114, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 1114.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 364, nays 0, not voting 69, as follows:

[Roll No. 369]

YEAS—364

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri

Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)

Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert

Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson
Carter
Castle
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Cuellar
Culberson
Cumming
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Feeney
Flake
Forbes
Fortenberry

Fossella
Foster
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseeth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoolley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kaptur
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley (TX)

McCotter
McCrery
McDermott
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Oliver
Ortiz
Pastor
Paul
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (NE)

Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor

Wamp
Watson
Watt
Waxman
Welch (VT)
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

Recognizing the State of Minnesota's 150th Anniversary; and "aye" on rollcall 369 regarding H. Res. 1114, Supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 5839

Mr. BUTTERFIELD. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor to H.R. 5839.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5540, CHESAPEAKE BAY GATEWAYS AND WATERTRAILS NETWORK CONTINUING AUTHORIZATION ACT

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110-677) on the resolution (H. Res. 1233) providing for consideration of the bill (H.R. 5540) to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3021, 21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110-678) on the resolution (H. Res. 1234) providing for consideration of the bill (H.R. 3021) to direct the Secretary of Education to make grants and low-interest loans to local educational agencies for the construction, modernization, or repair of public kindergarten, elementary, and secondary educational facilities, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1915

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NOT VOTING—69

Abercrombie
Andrews
Baca
Boswell
Boustany
Brown, Corrine
Cardoza
Castor
Courtney
Crowley
Cubin
Davis, Tom
Doolittle
Ellison
Emanuel
Everett
Ferguson
Filner
Gallegly
Gilchrest
Gillibrand
Grijalva
Gutierrez
Hinchey

Hulshof
Hunter
Inglis (SC)
Jackson-Lee
(TX)
Johnson (IL)
Jones (OH)
Kanjorski
Kennedy
Knollenberg
Larsen (WA)
Lee
Maloney (NY)
McCollum (MN)
McGovern
McNerney
Meek (FL)
Murtha
Nadler
Pallone
Pascarell
Payne
Pearce
Peterson (PA)

Pryce (OH)
Radanovich
Richardson
Rohrabacher
Roskam
Rothman
Rush
Sestak
Shadegg
Shuler
Sires
Smith (WA)
Udall (CO)
Udall (NM)
Velázquez
Wasserman
Schultz
Waters
Weiner
Weldon (FL)
Weller
Wilson (NM)
Young (FL)

□ 1911

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 369, I was unable to vote because of pressing business with my constituents in my home district. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. EMANUEL. Mr. Speaker, I was absent from the Chamber for rollcall votes 367, 368, and 369 on June 3, 2008. Had I been present, I would have voted "aye" on all three votes.

PERSONAL EXPLANATION

Mrs. JONES of Ohio. Madam Speaker, on Tuesday, June 3, 2008, I missed three recorded votes. Had I been present, the record would reflect the following votes:

H. Con. Res. 138. Supporting National Men's Health Week, "yes."

H. Res. 923. Recognizing the State of Minnesota's 150th Anniversary, "yes."

H. Res. 1114. Supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day, "yes."

PERSONAL EXPLANATION

Ms. LEE. Madam Speaker, earlier today I missed rollcall votes numbered 367 through 369. Had I been present, I would have voted "aye" on rollcall 367 regarding, H. Con. Res. 138, Supporting National Men's Health Week; "aye" on rollcall 368 regarding, H. Res. 923,

IN MEMORY OF LT. GEN. WILLIAM E. ODOM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I rise to pay tribute to Lieutenant General William E. Odom, a great American and a true patriot. General Odom passed away last Friday at the age of 75 after a lifetime of service to the Nation. General Odom was a soldier and a scholar. He was a teacher and the author of seven books on history and international relations. He served Presidents of both parties. He was one of our Nation's top experts on military intelligence. He was a great visionary. And he was among the first to correctly and courageously warn that invading Iraq would be folly.

I am proud to say that he was a friend. He generously shared his insight and counsel with me, and I found what he told and shared to be invaluable.

General Odom was born in Tennessee and graduated from West Point. He received a Ph.D. from Columbia University and became a leading author on the Soviet Union. After teaching at West Point and Columbia, he served in the Carter administration as assistant to the President for national security affairs. Neither a Democrat nor a Republican, he also served in the Reagan administration as director of the National Security Agency. After retiring from the military, he became a professor at Yale University and a senior fellow with the Hudson Institute.

General Odom was a patriot in every sense of the word. He served in Vietnam, and his family has continued to serve. His son was wounded in Iraq. But General Odom also understood that true patriotism meant disagreeing with your government's actions when you think they are wrong.

He opposed the invasion and occupation of Iraq long before it began when it was not the popular thing to do and long before most of the rest of the country opposed it. His boss in the Carter administration, Mr. Brzezinski, had this to say of his early opposition to the invasion, "Among senior military people, (Odom) was probably the first to consider the war in Iraq a misbegotten adventure. He believed that we're just stoking hostility to the United States in that region and developing an opposition that cannot be defeated by military means."

In September of 2006, I and several of my colleagues in the House invited General Odom to speak at one of a series of ad hoc Congressional hearings and forums hosted by the Progressive Caucus on Iraq. General Odom described how al Qaeda's recruitment efforts had been seriously weakened by our efforts in Afghanistan, but he said that al Qaeda's recruitments soared after the invasion of Iraq. General Odom said, to (Osama bin Laden), the invasion must have been manna from

heaven, probably saving his organization." I can't think of any more powerful argument against the invasion and continued occupation of Iraq than what he said.

General Odom did not just oppose the administration's policy. He offered a real alternative that could both end the conflict in Iraq and lay the foundation for regional peace. He said, "No effective new strategy can be devised for the United States until it begins withdrawing its forces from Iraq. Withdrawal is the pre-condition for winning support from countries in Europe that have stood aside, and, other major powers including India, China, Japan, and Russia. It will also shock and change attitudes in Iran, Syria, and other countries on Iraq's borders making them more likely to take seriously new U.S. approaches to restoring regional stability."

Everyone who knew General Odom knew that he was a tireless worker and a straight shooter. He continued to oppose war virtually up until the day that he died. Just 3 days before he passed away, an op-ed article he co-authored on Iran appeared in the Washington Post. The article opposed the drumbeat of war against Iran and offered a policy of diplomacy that can stop Iran from acquiring nuclear weapons. I hope every Member of this House will read that article.

General William Odom was a military man who worked hard for peace. If we had listened to him about Iraq in 2002, we could have saved tens of thousands of lives. I hope we will listen to his words now, because they can save many more lives in the future. General Odom was a great inspiration while he was alive, and I know that he will continue to inspire us in the days ahead.

[From the Washington Post, May 27, 2008]

A SENSIBLE PATH ON IRAN

(By Zbigniew Brzezinski and William Odom)

Current U.S. policy toward the regime in Tehran will almost certainly result in an Iran with nuclear weapons. The seemingly clever combination of the use of "sticks" and "carrots," including the frequent official hints of an American military option "remaining on the table," simply intensifies Iran's desire to have its own nuclear arsenal. Alas, such a heavy-handed "sticks" and "carrots" policy may work with donkeys but not with serious countries. The United States would have a better chance of success if the White House abandoned its threats of military action and its calls for regime change.

Consider countries that could have quickly become nuclear weapon states had they been treated similarly. Brazil, Argentina and South Africa had nuclear weapons programs but gave them up, each for different reasons. Had the United States threatened to change their regimes if they would not, probably none would have complied. But when "sticks" and "carrots" failed to prevent India and Pakistan from acquiring nuclear weapons, the United States rapidly accommodated both, preferring good relations with them to hostile ones. What does this suggest to leaders in Iran?

To look at the issue another way, imagine if China, a signatory to the nuclear Non-Proliferation Treaty and a country that has deliberately not engaged in a nuclear arms

race with Russia or the United States, threatened to change the American regime if it did not begin a steady destruction of its nuclear arsenal. The threat would have an arguable legal basis, because all treaty signatories promised long ago to reduce their arsenals, eventually to zero. The American reaction, of course, would be explosive public opposition to such a demand. U.S. leaders might even mimic the fantasy rhetoric of Iranian President Mahmoud Ahmadinejad regarding the use of nuclear weapons.

A successful approach to Iran has to accommodate its security interests and ours. Neither a U.S. air attack on Iranian nuclear facilities nor a less effective Israeli one could do more than merely set back Iran's nuclear program. In either case, the United States would be held accountable and would have to pay the price resulting from likely Iranian reactions. These would almost certainly involve destabilizing the Middle East, as well as Afghanistan, and serious efforts to disrupt the flow of oil, at the very least generating a massive increase in its already high cost. The turmoil in the Middle East resulting from a preemptive attack on Iran would hurt America and eventually Israel, too.

Given Iran's stated goals—a nuclear power capability but not nuclear weapons, as well as an alleged desire to discuss broader U.S.-Iranian security issues—a realistic policy would exploit this opening to see what it might yield. The United States could indicate that it is prepared to negotiate, either on the basis of no preconditions by either side (though retaining the right to terminate the negotiations if Iran remains unyielding but begins to enrich its uranium beyond levels allowed by the Non-Proliferation Treaty); or to negotiate on the basis of an Iranian willingness to suspend enrichment in return for simultaneous U.S. suspension of major economic and financial sanctions.

Such a broader and more flexible approach would increase the prospects of an international arrangement being devised to accommodate Iran's desire for an autonomous nuclear energy program while minimizing the possibility that it could be rapidly transformed into a nuclear weapons program. Moreover, there is no credible reason to assume that the traditional policy of strategic deterrence, which worked so well in U.S. relations with the Soviet Union and with China and which has helped to stabilize India-Pakistan hostility, would not work in the case of Iran. The widely propagated notion of a suicidal Iran detonating its very first nuclear weapon against Israel is more the product of paranoia or demagoguery than of serious strategic calculus. It cannot be the basis for U.S. policy, and it should not be for Israel's, either.

An additional longer-range benefit of such a dramatically different diplomatic approach is that it could help bring Iran back into its traditional role of strategic cooperation with the United States in stabilizing the Gulf region. Eventually, Iran could even return to its long-standing and geopolitically natural pre-1979 policy of cooperative relations with Israel. One should note also in this connection Iranian hostility toward al-Qaeda, lately intensified by al-Qaeda's Web-based campaign urging a U.S.-Iranian war, which could both weaken what al-Qaeda views as Iran's apostate Shiite regime and bog America down in a prolonged regional conflict.

Last but not least, consider that American sanctions have been deliberately obstructing Iran's efforts to increase its oil and natural gas outputs. That has contributed to the rising cost of energy. An eventual American-Iranian accommodation would significantly increase the flow of Iranian energy to the world market. Americans doubtless would

prefer to pay less for filling their gas tanks than having to pay much more to finance a wider conflict in the Persian Gulf.

TEXAS SHERIFF OMAR LUCIO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, during the last week I had opportunity to go to the Texas Rio Grande Valley and visit with some relentless lawmen that represent the State of Texas down on the Texas-Mexico border. I had the privilege to be the guest of Valley Sheriff Omar Lucio. We call it the Valley. It's really the Rio Grande Valley that separates the United States from Mexico. And he is the Sheriff in the tip of Texas where it meets Brownsville and Metamoras.

This map here has a photograph or a drawing of where Sheriff Lucio is Sheriff in Cameron County, the red area. Most of his county borders the water. Some of it borders the Gulf of Mexico. Some of it borders the Rio Grande River. And he's been Sheriff there for 3 years.

I went there as his guest to see the way it really is on the Texas-Mexico border and how the violence and the crime is causing a tremendous problem to the locals who live in that area.

Sheriff Lucio is from the Valley. He was born in San Benito, Texas, and he started his law enforcement career in Harlingen, Texas, as a peace officer; and he retired as a captain of police from Harlingen. He's an educated individual from Pan American University. He has a degree in criminal justice and a degree in sociology, and he's also a graduate of the FBI academy at Quantico.

Prior to being Sheriff, he was also the Chief of Police of the City of Mercedes, and he is on the Texas Sheriff's Association, and more importantly, the Texas Border Sheriff's Coalition. What that is, Mr. Speaker, is the Sheriffs, the 16 county Sheriffs that border Mexico and Texas, all the Sheriffs form a coalition because of the tremendous problems they have as law enforcement officers protecting their communities.

Let me try to explain it to you this way: When a crime is committed in a county, even if it is committed by some outlaw that has crossed the border illegally into the United States, the people affected do not call the border patrol, they call the local Sheriff, whether it is a burglary, auto theft, robbery, or a murder. The Sheriffs are the ones who are called because of the crimes that are committed in those counties and not the border patrol.

The border patrol patrols, as the law says, 25 to 30 miles inside the Texas-Mexico border. Most of the Texas counties are a lot bigger than 25 miles. In fact, Cameron County, where Sheriff Lucio is Sheriff, is 1,300 square miles. Now, 300 miles of that is water border. And his biggest concern is the drug

cartels that infiltrate the United States from Mexico.

I want to mention that some of the information I received from Sheriff Lucio was quite remarkable, and I'm very impressed with the intelligence-gathering network that he has. Without going into that—it would not be proper for me to tell you how he gathers his information—but he gathers information from all sources, and he knows as much as anybody, including Homeland Security, as to what is taking place with the drug cartels that are infiltrating especially his county.

And he's concerned about the turf wars in Juarez, Mexico, and Laredo, and concerned that they will spread down further south into Metamoras, which is across the border from his main town of Brownsville, Texas. He says that the illegal criminals that come into his county are the biggest threat to not only national security but the security of the folks who live in that area. And he was very concerned about some of the proposals that the Homeland Security has for trying to protect that area.

There are 70 miles of fence proposed in that area, and Homeland Security is even proposing a fence so far inland that it cuts part of Texas' southmost college in half. Half of that college will be on the southern side of this fence. And that is probably not a good idea, and I would invite the Homeland Security chief to go down to that area and see some of the area and why it's impractical in that area to have a fence. Maybe in other parts of Texas, but certainly not in this particular part of the area.

His deputy sheriffs, Mr. Speaker, make \$24,000 a year, \$24,000 a year patrolling this rugged territory between Mexico and the United States. And I met a good number of those deputy sheriffs and some of his lieutenants, and I insert the names of The Posse, as I call them, into the RECORD at this point.

Gus Reyna, Jr., Chief Deputy; Javier Reyna, Captain; Lt. Carlos Garza, Investigations; Mike Leinart, Chief Jail Administrator; Lt. Domingo Diaz; Lt. Tony Lopez; Lt. Rick Perez; Lt. Dionicio Cortez; Sgt. Andy Arreola; Inv. Alvaro Guerra; Inv. Leo Silva.

And to a man, they are all determined to protect the citizens of Cameron County, Texas, from criminals from any source.

But they talk about the biggest problem they have is the fact that the border is not secure, that criminals come across the border, whether it is drug cartels or just old-fashioned robbers, and then they go back home across the border. And he is asking that he and other border Sheriffs get more manpower down on the border.

I told him that fence was going to cost \$1 million a mile. He said he would rather take that \$70 million that's going in his county for fences and have more personnel, more equipment, because the drug cartels have better equipment, more money, better fire power than he does.

In fact, speaking of equipment, I noticed that he didn't really have a lot of patrol vehicles. The way they get their vehicles, because they don't have a budget for vehicles, is they have to confiscate the drug dealers' vehicles, and they turn those over and become part of his operation.

So I want to thank him for his work down on the Texas-Mexico border, and the Cameron County folks are safer because of Sheriff Lucio and his relentless deputy sheriffs.

And that's just the way it is.

□ 1930

NATIONAL MEN'S HEALTH WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise this evening to thank my colleagues for just a few minutes ago passing unanimously H. Con. Res. 138, which I introduced recognizing June 9 through 15, 2008, as National Men's Health Week.

The need for this legislation could not be more evident, as far too many of our friends, brothers, uncles, cousins, grandfathers and fathers die each day from illnesses and diseases that are treatable.

Despite the advances in medical technology and research, men continue to live an average of almost 6 years less than women, and African American men have the lowest life expectancy of all groups.

Further, all of the 10 leading causes of death, as defined by the Centers for Disease Control and Prevention, affect men at a higher percentage rate than women.

Men simply are not getting the care they need. Women are 100 percent more likely to visit the doctor for an annual examination and to get preventive care.

This happens for a variety of reasons, including fear on the part of men, lack of health insurance, a macho attitude, thinking that they cannot be harmed, lack of information and cost factors. The disparity in men's health has led to increased risk of death from heart disease and cancer. But these problems do not only affect men.

More than one-half of elderly widows now living in poverty were not poor before the deaths of their husbands, and by age 100, women outnumber men eight to one.

We simply must get more men the early care and education they need to lead long, healthy lives. That is why I sponsored this resolution that recognizes June 9 through June 15 as National Men's Health Week. We need to educate both the public and health care providers about the importance of early detection of male health problems to reduce rates of mortality for common diseases.

Appropriate use of tests such as prostate specific antigen, PSA, exams,

blood pressure screening, cholesterol screening and in conjunction with clinical examination and self-testing for problems such as testicular cancer, can result in the detection of many of these problems in their early stages. This early detection can lead to increases in the survival rates to nearly 100 percent of men.

National Men's Health Week was established by Congress in 1994. The week is designed to encourage men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illnesses.

Men who are educated about the value that preventive health can play in prolonging their life span and their roles as productive family members will be more likely to participate in preventive care.

By recognizing National Men's Health Week, we bring this very important issue to the forefront, encouraging discussion and promoting this critical education in early detection.

I thank Chairman WAXMAN and Subcommittee Chairman DAVIS for their support, and I appreciate my colleagues voting in favor of this resolution.

MOMENT OF SILENCE IN THE U.S. HOUSE OF REPRESENTATIVES TO HONOR FALLEN HEROES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, on May 8, 2008, I introduced H. Res. 1183, a resolution calling for the House to observe a moment of silence on the first legislative day of each month for those killed or wounded, as well as their families, in the United States' engagements in Iraq and Afghanistan.

I am very grateful that the Speaker of the House has written me to indicate her support for this proposal and has agreed that it is important for the House of Representatives to honor America's fallen heroes. It is my understanding that the Speaker will initiate this moment of silence during the first series of votes tomorrow.

I am pleased that this month will mark the beginning of the House's ongoing observation of a moment of silence for those killed or wounded in Iraq or Afghanistan. I thank Speaker PELOSI for making this right and fitting tribute a part of the regular order of the House.

This moment of silence will serve as a solemn reminder of the more than 4,000 killed and more than 30,000 wounded in Iraq and Afghanistan and a thank you from a grateful Nation. For their courage and selfless commitment to duty, these servicemembers, and their families, deserve our unending support.

Again, I want to thank Speaker PELOSI, and Catlin O'Neill on her staff,

for working with me to make this remembrance a reality for the families of those who have sacrificed for our Nation.

SECURE RURAL SCHOOLS PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, tomorrow, this House will take up a critical piece of legislation, H.R. 3058. This legislation would extend the secure rural schools program for 4 years. If this legislation is not adopted, we expect that more than 7,000 teachers in rural districts across the United States of America will be laid off. We expect that in more than 600 counties critical services such as sheriffs deputy patrols, jail deputies who perform services in the jail, and other critical emergency services will end. Road funds will be impacted in terms of critical road and bridge maintenance. This is must-pass legislation.

But we also recognize that the United States of America is in a fiscal bind here. So the Democrats have reimposed something pretty simple most Americans live by called pay-as-you-go. So we had to figure out a way to pay for this. We've gone through a whole ream of proposals, and we've found one that works, and I think in this time of record-high oil and gas prices, it's particularly appropriate.

We would have in place a renegotiation of existing leases which omitted a price trigger at \$35 a barrel or impose a conservation resource fee if those companies would renegotiate. A number of good citizen companies have renegotiated, including Shell, BP and Conoco. A number of other not-so-good citizen companies, those which are extorting incredible amounts of money from the American consumer, such as ExxonMobil, have refused to renegotiate, and they're trying to take their unintended windfall.

Now, many on the other side of the aisle are going to say this is unconstitutional. Well, I would urge my Republican colleagues to read the CRS Report for Congress, No. RL 33974. It addresses those issues in depth. It's not a taking. It doesn't violate the doctrine of unconstitutional conditions. It doesn't violate substantive due process and equal protection. And it doesn't cause a breach of contract.

In fact, CRS finds that the government, but of course not this administration, the Bush administration, may have a cause of its own under a section called unilateral and mutual mistake.

Everyone admits these provisions, these triggers are supposed to be in the bill. At \$35 a barrel, that's about \$100 a barrel ago, the subsidies were supposed to go away for these oil companies. They didn't because some bureaucrat messed up. So, in fact, the preponderance of evidence is that the govern-

ment has a cause of action to reinstate lawful charges against those oil companies. This bill would do that, and it would assure the future of more than 600 counties, hundreds of school districts, 7,000 teachers.

If we don't pass this, if you lean on the slender read, if you're concerned about the wealth of the oil companies, I refer you to ExxonMobil's and others' most recent statements. I refer you to the Wall Street Journal to look at the price of oil hovering in the upper \$120 a barrel when this fee was supposed to come in at \$35 a barrel.

You can't lean on the unconstitutional read, but if you do want to side with the oil companies over and above rural schools, public safety, maintenance of roads, bridges and highways in rural counties across America, then you will side with the oil companies in this vote tomorrow.

I hope a majority of my colleagues join me on the right side of this issue.

GAS PRICES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, every year I conduct town hall meetings in each of the 69 counties that comprise the First District of Kansas. I want to hear what's on the minds of my constituents and receive my marching orders that I bring back to Washington, D.C.

And so now for the 12th year, I've made the rounds, some 5,000 miles with 69 town hall meetings, and I'm here on the floor tonight to visit one of those issues that has certainly been raised by Kansas voices, and I want to make certain that those voices are heard and that the commonsense that my constituents have is part of the debate on the issues that we face here in the Nation's capital.

While the issues that Kansans talk to me about every year—they change I guess from year to year a bit—one thing remains the same. Folks want to see good things happen in their own communities, and they want to see good things happen in their country.

This year, the issue I heard the most about was the high cost of energy. I heard from Kansans who can't take much more pain at the pump. Right now, prices which are expected only to increase are too high for Kansans, and it's past time in their opinion, and mine as well, for Congress to pay attention.

Farmers, truckers, manufacturers, teachers, seniors, all shared with me that something needs to change or they just can't make it. This is what I heard all across our State. Kansans are trying to get by, and their employers are struggling to keep them employed.

And it's not just about economics. It's about our foreign policy. We can look at the nightly news and see that our own foreign policy is distorted because of national security issues that

are presented by the fact that we're at the mercy of oil-rich countries, many of them who despise us.

Kansans understand that technology changes with time and so should environmental and energy policies. Exploring and drilling can be done with limited environmental impact. China, with Cuba's permission, is tapping our natural resources, our natural gas fields, right off our own coasts, where our companies are banned. They are banned even with advanced technologies and a strong commitment to see that there is no ecological disaster.

While I support increasing the domestic supply of oil and gas, I know it's not the only answer. We need to meet our country's energy needs in a diverse way. It's capturing the power of the sun. It's harnessing the wind that blows across my State of Kansas. It's using heat from within the Earth to generate electricity. All of these and many more energy sources are completely renewable. Renewable energy can create jobs at home and help our economy, improve our environment, and reduce our dependence upon foreign oil.

Energy conservation can also help. Too many of us have gotten away from the things that we always knew. Growing up, it was considered a sin in my family to leave the lights on when you weren't in the room. We need to get back to that mentality of being responsible with our energy use.

Across Kansas, folks are recognizing the benefits of conservation. Farmers are transitioning to no-till practices, which reduce the number of times the tractor passes through the field. Commuters are carpooling. Every gallon that we conserve, every degree we don't heat or cool, every empty room that doesn't have a light on, helps us reduce the demand.

I'm taking steps in my own congressional office to reduce energy use.

Tonight, I'm on the floor delivering a message from Kansans, like Brian and Laura Velasquez from the small town of Reading, Kansas, on the east side of my district:

"Dear Representative MORAN, we are a middle class Kansas family. It has become more difficult the past few years for us to make ends meet in spite of increased income. Since our lifestyle has not changed, the main explanation has to be the fallout from the cost of fuel. We are not the only ones in this predicament. The U.S. is at the mercy of too many oil-rich nations that are not concerned about our welfare. This needs to change now."

I agree with my constituents. It's clear that Americans want Congress to develop policies that increase the supply of energy, and they want Congress to encourage the development of new fuel sources. Until the supply of energy, renewable or fossil fuels, increases, prices will only continue to rise.

We must work together, not just with words but in action to promote energy

conservation, develop domestic production of oil and natural gas, and aggressively pursue alternative fuels. Let all Americans know we hear their concerns and we will act.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROUN) is recognized for 5 minutes.

(Mr. BROUN of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

(Mr. TANCREDO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NATIONAL CARDIOPULMONARY RESUSCITATION AND AUTOMATED EXTERNAL DEFIBRILLATOR AWARENESS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KUHLE) is recognized for 5 minutes.

Mr. KUHLE of New York. Mr. Speaker, I rise today in support of National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week, quite a handle. It commenced just 2 days ago on Sunday and lasts until Saturday.

Last year, I introduced legislation to support designating this first week of June as National CPR and AED Awareness Week, and I am pleased that Congress passed my proposal to help bring an important issue to light.

Heart disease continues to be—and I repeat that—heart disease continues to be the leading cause of death in the United States. So I believe that we must do all we can to bolster our efforts to combat heart disease and sudden cardiac arrest.

Approximately 325,000 coronary heart disease deaths occur outside of the hospital emergency room every year, and roughly 95 percent of sudden cardiac arrest victims die before even reaching the hospital.

These statistics serve as a clear reminder that we must take action to save lives at the local and the community levels, and an annual National CPR and AED Awareness Week will help us do just that.

CPR more than doubles a victim's chances of surviving sudden cardiac arrest by maintaining the vital flow of blood to the heart and to the brain.

□ 1945

Over 75 percent of out-of-hospital cardiac arrests occur within the home, so CPR can make a difference between life and death.

Additionally, automated external defibrillators are easy for even bystanders to operate and are highly effective in restoring a normal heart rhythm if used within minutes after the sudden onset of cardiac arrest.

Communities with comprehensive AED programs have achieved survival rates of over 40 percent, as opposed to 5 percent, which is the traditional rate of survival. And I am proud to have sponsored the New York State law that required public high schools to have at least one such device on the school grounds.

As a state senator, I worked with my colleague, Assemblyman Harvey Weisenberg, Long Island, who advanced this initiative after a young man named Louis Acompora from Northport, Long Island, died from a blunt impact to the chest while playing lacrosse. He was a goalie and was doing exactly what he was trained to do. Had an AED been available at the time, his life very well might have been saved. Thankfully, our efforts in New York have helped to save over 35 lives in New York State in the 5 years since the law's enactment.

The American Heart Association, the American Red Cross, and the National Safety Council are holding public awareness and training campaigns around the country. And the National Safety Council is also offering a free online course of CPR and AED training all week long. This week, as a result of their efforts, it is our hope to train over 100,000 Americans in CPR and AED treatment opportunities. And Americans will have the opportunity to learn to combat heart disease at the community level and hopefully save lives all across the country.

I urge my colleagues to join me in supporting this week, Mr. Speaker, it's a very important initiative.

ENERGY IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BARTON) is recognized for 60 minutes as the designee of the minority leader.

Mr. BARTON of Texas. Mr. Speaker, most Americans think that Members of Congress are somehow privileged and above the ordinary everyday concerns of the constituencies that we represent. I think all 434 of my House colleagues know that that's not true. By normal standards, we do get a very adequate salary, \$162,500 a year, but out of that we have to pay our expenses of living in our districts and here in Washington, D.C. We have the same expenses that every other American family has.

This morning, before I left to fly to Washington, DC, I opened our credit card bill. We have a MasterCard. And on that bill we put most of our gasoline expenses and our routine living expenses. And my wife, Terry, has been working very, very hard this year to minimize the amount of expenses on that credit card. And we've both made an effort to make sure we only put things that we have to put on the credit card. So the vast majority of our MasterCard is now for gasoline.

And I just happened to look down the list of all the gasoline expenses from the early part of last month to right now, and it added up to over \$600. Now, \$600 is not an extraordinary amount, but a year ago that same amount of gasoline would have been about \$300, maybe \$350, and 2 or 3 years ago, it would have been about \$150. And now it's over \$600. And that's not taking any trips. That's not driving to see our families. That is my wife and my stepdaughter and my day-to-day drive to work, drive to school, drive to the grocery store, do all the things that we do in everyday living in central Texas.

Now, as I said earlier, I make a very adequate salary and my wife makes an adequate salary. And it pinches us, but we can afford it. But what if my wife and I were on an income of, say, \$4,000 a month, \$48,000 a year? Having to spend \$600 a month for gasoline just to go back and forth to work and to go to school and to go to church and to go to the grocery store would be a real struggle.

So we have a situation today where the new Democratic majority in the House has come in promising to bring energy prices down and a new commonsense plan for energy. Here we are, with approximately 5 months to go in this session of Congress, at least through the election in November, and energy prices are up almost 200 percent, gasoline prices, since the day that our Speaker, Mrs. PELOSI, took the gavel from Mr. Hastert.

And the response to the higher energy prices, at least so far, has been, at best, symbolic. We passed a bill giving the right to sue OPEC. OPEC supplies about 40 percent right now of our energy, our oil, so we're going to sue OPEC if that bill were to become law.

Several weeks ago we passed a bill suspending shipments of the Strategic Petroleum Reserve; that's about 60 to 70 thousand barrels of oil a day. There were great predictions that day that

passage of that one bill would bring prices down \$25 a barrel, and I think one Member said 50 cents a gallon. Well, the day the bill passed, oil prices went up almost \$2 a barrel. And a week after that, they hit an all-time high of \$135 a barrel. They have now come down a little bit, but they're still, I believe today's price is about \$127 a barrel.

So I think it's fair to ask my friends in the majority, where is our energy policy to really bring energy prices down for America? I'm not happy that in my little part of America I'm having to spend over \$600 this month when we pay our MasterCard bill just for gasoline. And if the projections are true, later this summer I may have to spend seven, eight, even nine hundred dollars a month just for basic transportation in Arlington, Texas.

Most people think that we're helpless, that we can't do anything about these high energy prices, that they're almost like one of the Ten Commandments. Luckily, and hopefully, the truth is not that; we have tremendous energy resources in this country that have yet to be developed.

We can do something about these energy prices, and we can do it with made-in-America energy. We've been debating whether we should drill up in Alaska and ANWR for the last 20 years. We actually passed a bill and sent it to the President that would have allowed that in 1996. The President at the time, President Clinton, vetoed that bill. Had he not vetoed that bill or had we been able to override his veto, projections are that ANWR would probably be producing in the neighborhood of two to three million barrels of oil per day right now. I say projections because you never know until you actually drill the wells and start to produce the oil. But there are huge oil reserves in ANWR. And the minimum assumption would be half a million barrels a day within 3 to 4 years of the go-ahead to begin production. And that's just one oil field.

If we want to go off the coast of California where we drilled the original offshore oil wells, where you still have oil seeps that naturally come to the surface, where you do have some producing platforms that were in existence prior to 1968, it's estimated that we probably have three to five billion barrels of oil available right there, and that we could produce another half a million to a million barrels just off the coast of California.

If you want to go to the east coast, where we've done almost no exploration at all because of various moratoria, if the Gulf of Mexico is any indication, we probably have billions and billions of barrels of oil reserves and natural gas reserves off of that coast.

We know that there is oil and gas off the coast of Florida that's not being drilled right now because of a moratorium. Interestingly, the communist Chinese are drilling off the coast of Florida through a lease arrangement

with Mr. Castro and the Cuban dictatorship in Cuba. It would be ironic if the communist Chinese ended up getting more oil and gas off the coast of Florida than Americans do.

If you don't want to drill offshore, what about onshore lower 48? We have probably two trillion—trillion is a thousand billion—we have two trillion barrels of shale oil reserves in Wyoming and Colorado. In the Energy Policy Act of 2005, we passed a procedure to inventory those and to do an expedited permitting process of the Minerals Management Service so that they could perhaps come into production, but on the floor of the House last year this Congress put a moratorium on implementing those rules. So we're putting our shale oil reserves off limits.

So it comes as no surprise, if you look at all these areas where we've put the stop sign up, that oil production in the United States is going down. At our peak, we produced over 10 million barrels of oil per day in the United States of America. At one time we were the number one producer of oil in the world. That's down to a little less than six million barrels a day. We use the equivalent of nine to ten million barrels of oil per day just for mobility purposes. We're only producing in the neighborhood of six million barrels.

We have tremendous energy reserves in this country. And if we want to bring these prices down, we don't have to look overseas to the Middle East, we don't have to beg OPEC, we don't have to sue OPEC, we do have to take our energy future into our own hands and begin to produce more American energy.

It's more than just oil and gas, obviously. We have tremendous coal resources in the United States. We have somewhere between 250 and 400 years of coal reserves. We've got lots of research being done to convert that coal to a liquid, a diesel-like fuel that we could use to fuel our transportation fleet.

When we had the debate on the so-called energy bill last year in this Congress, the rules were set up so that no amendment on coal-to-liquids was made in order in the Energy and Commerce Committee, the committee of principal jurisdiction, nor in the Rules Committee, nor on the floor of the House of Representatives. So we passed an energy bill which I voted against because there really wasn't any energy in it. It had no coal in it. It certainly had no oil or gas drilling in it. It was basically a mandatory conservation bill.

So my statement to the American people this evening, Mr. Speaker, is pretty straightforward. We've got tremendous energy resources in this great Nation of ours. We've got the ability, within a reasonably short period of time, and I would say that would be 2 to 4 years, maybe 2 to 5 years, if we made a decision in this Congress to produce some of the energy reserves that we know we have, we could, in all probability, double the amount of oil

that we're producing right now. We could certainly increase it by three to four million barrels a day, if not double it. And if we did that, energy prices would come down.

On the world market, oil is a fungible product, which means it can move anywhere, it's a commodity. We have the ability, worldwide, to produce on an average day around 85, 86 million barrels of oil. Unfortunately, the demand for oil is about 85 or 86 million barrels per day, give or take a million barrels or so. So we have a situation where you don't have a cushion, you don't have a capacity cushion. And the econometric models have shown that if you don't have about a 5 percent cushion, which would be about four or five million barrels a day, that price is going to tend to spike upwards. And that's what we have today.

□ 2000

Mr. BARTON of Texas. We have a demand-driven price because we do not have on the world markets enough cushion to dampen the speculation, so the American consumers are having to pay right now on average right at \$4 a gallon. I don't know about you, Mr. Speaker, but I don't think American voters and the American citizens are going to be really happy if, in the face of these higher prices, our decision as a Congress is to just shake our fists and say we have the ability to sue the foreign cartel which we call OPEC.

So I have the ranking Republican on the Energy and Commerce Committee. I have been working for the last 6 months with a group of Republicans both on and off the committee. Several weeks ago, we put in a package of 15 bills. These bills, taken together, would produce more American-made energy for American workers and energy consumers. They run the gamut. I'm not going to go through every bill right now, but we look at the oil and gas industry, the coal industry, the nuclear power industry, the alternative energy industry. You name it. We take a look at it, and do something to bring into play American-made resources for American energy consumption.

I would encourage all of our Members of Congress to take a look at these bills. We are going to try to get them to the floor as quickly as possible. I certainly think that if we are naming post offices and are commending watermelon festivals and things of this sort that we certainly can find room to have some real energy bills on the floor and to have a debate and to, hopefully, pass those bills to the other body.

At this point in time, Mr. Speaker, I would like to yield to my good friend from Ohio, Congressman LATTA. Congressman LATTA comes from a distinguished family of congressmen. His father was the ranking Republican on the Budget Committee when I was a young pup. Our current Congressman LATTA has come to Washington with the same common sense that his father exhibited 20 years ago.

So I would yield as much time as he may consume to Mr. LATTA of Ohio.

Mr. LATTA. Well, I appreciate the gentleman from Texas yielding.

I stand here tonight, coming back from Memorial Day break, and people back home, I think, know more about what is going on in this country than we do.

Every place I went—we had meetings across our district—the folks all asked the same thing: When are you going to be doing something about energy in this country? Because we can't afford these prices at the gas pumps. They all said the same thing, what some of them have been saying down here. We have got to start developing our own energy sources in this country. We have got to start acting now.

Why is it important to be acting now?

You know, years back, we had the ability in this country to be able to make some mistakes and to correct them in 5 or 10 years, but we don't have that luxury anymore. That luxury now is gone. What is going on now is that the rest of the world is catching up to us.

I just want to start with this chart, if I may. That is the harsh reality of what we have here. The United States consumes about 21 percent of the world's energy right now with 300 million of the people. When you look at this chart and in looking at 2010, you see that India and China will almost be at a parity with the United States in 2010. In 2015, energy usage in China and in India will exceed that of the United States. By 2020, China alone will be exceeding the energy usage of the United States. When you look at this graph, the United States' usage is very, very slowly going up, but if you look at the energy usage of China, it is skyrocketing straight up.

What does that mean?

People back home understand this, too. "Energy" means jobs. "Jobs" mean people can make sure that they can have those different benefits that the honorable gentleman from Texas was talking about. You know, if you look at this as energy prices keep going up, what happens? Fuel prices go up. Food prices are going up because you've got to get the food to market. Then you have got to have heating. Then the question is what are those people going to do about going out and about buying those necessary goods and services for their families and also to help keep this economy moving. It's tough, and people back home understand it much better than we do. Congress has got to act, and they want it done now.

The other thing is, as for acting right now, if we stood in the well of this House and they stood over in the Senate and we said that the United States has an energy policy right now for developing its own sources within this country alone, you'd see the world speculation go down on what it costs on the oil markets. We're not doing

that and they know it, so they can keep raising that price on us. America can't be tied to Middle Eastern oil for any longer because it is costing us way too much money. We have to be able to control our own destiny in this country.

What are we going to do about this?

Well, to give you an idea of what's happening back home, I come from the ninth largest manufacturing district out of 435, so we depend on energy. In Ohio, 80 percent of the goods and services that are delivered in Ohio are delivered by truck. When you're looking at things being delivered by truck, of course they're using fuel. Their fuel costs are going up, so whatever they are delivering is costing Ohioans more and more dollars, and the same can be said across this great Nation.

The same can be said when you talk about farms. There are farmers out in northwestern Ohio right now. They have been planting corn. They are out there, putting in soybeans. It's the same thing. Diesel prices are up. Fertilizer prices are up. Chemical prices are up. Why? Because they're all petroleum-based. So those costs are, unfortunately, going to have to be passed along to the people back home and across the country.

Before we broke for Memorial Day, at one of our town hall meetings that we had, at the teletown hall, one of the questions that we posed was an informal poll. We said, "What should we be doing? Should the United States be out, drilling in this country?" Overwhelmingly, 6 to 1 said that the United States must be drilling at this time so we can meet our own energy needs.

If we don't meet those energy needs, what is going to be happening, especially with those jobs back home?

At one of the float glass facilities in my district, their costs in the last 5 years have gone up from \$10 million in energy costs to \$30 million in energy costs. Why is this significant? There are only 37 float glass facilities left in the United States while there are, right now, 40 being built in China. So, if they can put cheaper people on these production lines with the price of the fuel, the countries around the world are going to do one thing. They are going to be buying those goods not from the United States but from China, and we are going to watch more and more of our facilities closing because of the costs of high energy in this country, and we can't afford that.

What do we have to do?

Well, I think there are several things we have to do in this country. One, I think we have to go out and develop our nuclear energy that we have at our disposal.

What is the rest of the world doing?

You know, a lot of people always have jokes about the French every so often. I come from the ancestry of the French. 70 to 80 percent of all energy in France is derived from nuclear energy. They are actually exporting energy into Europe from France. Russia currently has 31 reactors in operation. It

is projected that 37 to 42 nuclear reactors that are currently or will be under construction are all scheduled to be in operation by 2020. Japan has 55 nuclear reactors in operation, and two or more are in construction right now.

What is China doing on the nuclear side?

Well, right now, in the next 25 to 30 years, it is pretty much, in looking at China, that they will be building at least 40 new nuclear power stations across that country. Right now, China has 21 nuclear reactors under construction or about to be under construction. They are moving ahead.

What is India doing?

India is the second leading country right now in the development of nuclear energy. India is building small nuclear reactor plants, and in the next 25 years, they will probably have 30 in operation. They are moving ahead.

What is the United States doing?

Well, the last nuclear power plant that was licensed in the United States was the Wolf Creek Nuclear Power Plant in 1977. The last plant to go on line was in Tennessee in 1996. The last new licensed nuclear reactor to go on line was in 1996. We are way behind. Not only are we behind in getting these plants on line, but we are also behind in that there is only one place on Earth where a lot of these parts can be manufactured to get these plants on line, and that is in Japan. So, if the United States isn't out either building its own machinery that we have to have to run these nuclear power plants, we are in trouble because the rest of the world is already in line to get these plants built. So we have got to get moving, and we have got to get moving quickly. That's what the people back home know and what we talk and talk and talk about in Congress.

Coal. The United States has about 24 percent of the world's coal. What are we doing with it? Well, on the majority's side, they don't want to do anything with coal. In Ohio, I can tell you a lot about coal. We, unfortunately, have what you call high-sulfur coal. So, in a lot of places, it is very, very expensive to have to go out and burn that coal because you have to put a lot of scrubbers on.

Now, we have an individual in my district who has developed clean coal technology where you can burn this coal in a closed environment and produce methane. But, again, are we doing that in this country? No, we are not doing it. You know, when you talk to people out there in the scientific world as to how much coal we actually have in this country, some people say we might have 250 to 350 years of coal, and we're not doing anything with it. We have got to do something.

The Chinese today are going to invest around \$24 billion in clean coal technology while the United States sits. We have got to be doing something.

Hydroelectric. You know, we all know that the Chinese are building

their hydroelectric dam right now to produce more power. We're not doing it either. We're not doing anything.

Drilling. That's where the American people really get it. They really got it when gasoline prices hit \$3.50 a gallon, especially in my district. I think that was the breaking point for people in northwest Ohio. They say, "Why aren't we doing something in this country?" You know, we see these gas prices rising. I know, when I got home over the Memorial Day break, I should have filled up my gas in the car before I left that week because it was around \$3.83 when I left Bowling Green. I got home that following Friday. It was \$4.99 a gallon.

People say, "What are we doing in Congress?" Again, nothing. As the gentleman from Texas alluded to in talking about ANWR, you're talking about only drilling at around 2,000 acres, which is only one-half of 1 percent of an area. Nothing is being done. You know, it's estimated there are 9 to 16 billion barrels of recoverable oil there, and we're not doing anything.

We're not doing anything offshore. You know, the Chinese, as were alluded to a little earlier, and the other countries around the world are drilling offshore. They're drilling offshore in the United States, but we're not doing anything. It's time to act.

Where I come from in northwest Ohio there was at one time one of the largest oil fields in the United States in the 1800s. They say there's probably as much oil out there today as there was then, but it's too costly to get it up. We ought to have credits out there for individuals and companies to go out there and get that oil and bring it up. We need to be doing that. We've got to get these prices down because, again, our jobs and our livelihoods and our country depend on action today.

You know, if we got that oil here, the other problem we'd have is that we haven't been building refineries in this country. It's been about two-and-a-half decades since a refinery has been built in this country. It's time we got going. We've got to get this thing done now because we don't have time in the future to do it. If you look, as the energy usage is going up across the world, the United States is getting farther and farther behind everyone else. When they have energy and we don't, that's when we're going to be in big trouble.

Now, I was a history major in college, and in reading our American history, of course of our great Industrial Age, we had all the natural resources. We had the coal that produced the power to make sure that we could make the product, which we were able to export around the world. Well, look at this chart, and you're going to see who is going to be able to do that in the future. We have got to be able to meet our needs, and we have got to meet them today. Time is running out.

You know, the other scary thing about this is we send more and more of our energy overseas. One of the things

we have to think about is who is owning our debt. Right now, \$2.43 trillion is owned by foreign countries. The Chinese own about \$487 billion of our debt, and we can't have that.

I really appreciate the time the gentleman has allotted to me, and I yield back. Thank you.

Mr. BARTON of Texas. I appreciate the gentleman from Ohio's insightful comments.

As he has pointed out, it's not a lack of American energy; it's a lack of willpower on this floor to develop that energy. What we need is American-made energy for America's families and factories.

To talk a little bit more about that, I want to recognize the distinguished conference secretary of the Republican Conference, the gentleman from Williamson County, Round Rock, Texas, Congressman CARTER, for such time as he may consume.

□ 2015

Mr. CARTER. I thank the gentleman and my good friend for yielding and allowing me to talk on this. You know, having two Texans here, somebody is going to be saying, Well, there they are in Texas again, talking about energy. And we know something about it. But let me tell you about a couple of energy experts that I ran into when I held a little impromptu event of standing around a service station in my district and talking to the people at the pumps as they pulled up to buy gasoline and diesel.

The first memorable energy expert that I remember was a lady that pulled up there and she had a baby, I would say about 2 years old, and then she had probably the age 6, 7, 8-year-old girl in the car who looked like she was on her way to her ballet lesson. I said, I wanted to ask your opinion on gasoline prices. This lady started crying. She said, I am a single mom. I have got three kids, two of which I have to transport to everything that they go to. I don't want to deprive my children of anything that they can go to, like their ballet lessons or their ball games. But I just don't know how I am going to be able to feed my family and be able to take my kids around, with the price of gasoline.

That is an energy expert. This lady knows that the fact that we have failed in our energy policy in this country has caused her to have a harm imposed upon her family. There's not much you can say to that energy expert but I'm sorry, ma'am. We are trying.

Then we have another energy expert that pulled up there, and he had a plumbing truck. And he was a family plumbing business in Georgetown, Texas. I asked him how he felt about the energy business. He said, Well, I will tell you what, partner. The price of plumbing in this part of Texas is going up, and it's going up in a big way. Me and my boys are running four trucks. And he said, I am telling you, the cost of fuel going up is killing us,

and we are going to pass it on to our customers, and the price of plumbing is going up. And he says, You know the old joke about plumbers charging more than lawyers? Well, I guarantee it's going to be that way from now on. I laughed and said, Yes, sir. I hear what you're saying. He said, I hope you hear what I am saying.

I wanted to share that story with you because that story took place 2½ years ago when gasoline hit \$2.85 a gallon. That was that same 2½ years ago when the Republicans were in the majority in the House of Representatives. When they took their shots, they were taking them at me, because the party that I belong to was the party in power and we were being heavily criticized for \$2.85 a gallon gasoline.

Fortunately, that gasoline went down some and it lightened up after a point in time, but the criticism continued about the price of gasoline. And in the last election, we had promises that there was a plan to bring down the price of gasoline, absolutely common-sense plan to bring down the price of gasoline. Well, since that promise, I think gasoline has gone up \$1.65 a gallon. At least when I was home this last week, gasoline in my part of Texas was \$3.95 a gallon. I understand now it's over \$4 a gallon.

I have to think back to that lady and those kids and that family plumber with his boys and their business and all those people who are having the services and are having the relationships with those people. Those were the kind of oil and gas and energy experts we ought to start listening to.

There is a commonsense solution to our energy problem. I want to tell you that at the time that I was talking about previously, then-Chairman BARTON had presented an energy plan that was excellent; that sought energy from all sources, including renewables, but certainly looked at the oil and gas resources, coal resources, atomic energy resources that are available to this country. Yet, that bill was killed by the Democrats in the Senate and got nowhere. We are now sitting here looking at a worse situation than that by almost two. And we are not getting anything done.

As my colleague pointed out, while we are doing this, the Chinese Communists are drilling off the shores of Florida in Cuban waters. But we don't drill in those waters. Did you know that last year the oil and gas industry in the drilling process spilled one tablespoon of oil worldwide? One tablespoon. Yet, we are not willing to even take a look at seeking the resources that were there.

When I was a kid, I guess I was in high school, they had an article in the Houston paper where they talked about the dwindling resources in the oil and gas business. My father worked for an oil company. So I was concerned. And I asked him about it and he told me, son, there's shale oil in the Rocky Mountains but it's too expensive to go get.

When the price is right, we will be able to harvest trillions of barrels of oil from the mountain regions of our country. That oil is still there and the price is available now to where it's worth going after. We should seek the resources that will bring down the price. The American-made power is what our American citizens are asking us for. They are begging us for it.

When you go home now, I guarantee you there's not a member of this House that if they went home and stayed home this last Memorial Day break, if they didn't have somebody ask them about the price of gasoline, they must have been deaf or slept through the whole period. Because they asked me at church, they asked me at the grocery store, they asked me at the service station, everybody that saw me, and they asked me everywhere I went, even at the hospital.

So, you know, when you're sitting there realizing that the American family is now suffering and looking down the road and saying there is no relief in sight, it's time for us to wake up America, wake up this Congress. Let's do that bipartisan work that so many people are bragging about right now. Let's do it, and let's do it now.

Let's do all the energy resources that are available to Americans. Let's don't be afraid of one or another industry. The American intelligence can make every one of these resources clean and available and nonpolluting to this country. We have proven it. Let's look off the coast of California and let's look off the coast of Florida and let's look in Alaska, let's go to known reserves, and let's take care of that lady and those three kids so that she has affordable gasoline so she can live her life in the kind of good, free manner that Americans and Texans want to live.

I thank Mr. BARTON, my good friend, for allowing me to come here and talk about this. I am no energy expert. I just know that the American people are. And they want energy that provides the ability to drive their automobiles and heat their homes and light our world and give us the prosperity of industry that will keep us going. If we have that, we will have done our job, and this is our job today.

I thank you for yielding time.

Mr. BARTON of Texas. I thank the gentleman from Round Rock.

Mr. Speaker, can I inquire how much time we have remaining in our Special Order, please?

The SPEAKER pro tempore. The gentleman has 20 minutes remaining.

Mr. BARTON of Texas. Thank you. I would now like to yield such time as he may consume to Mr. GINGREY of Georgia, a physician, who, before he became a Member of Congress, was a baby doctor and delivered over 5,000 American lives into our great Nation, and is concerned about their future and wants to make sure they have affordable energy.

Dr. GINGREY.

Mr. GINGREY. Mr. Speaker, I thank my colleague, the distinguished rank-

ing member of the Energy and Commerce Committee, former chairman of the committee, for yielding time to me.

My other colleague from Texas, our conference secretary, part of our leadership, my good friend, Judge CARTER, just said that he is not an expert on energy. But he certainly is an expert on common sense. He got some of that expertise by talking to his constituents at that impromptu town hall meeting at the gas pump in Texas. That is where we get some of our knowledge from the people that we represent, and they are mad as heck and they are not going to take it any more.

I am absolutely surprised, Mr. Speaker, shocked that this new Democratic majority is apparently not listening to what the American people are saying. Back in April of 2006, then-Minority Leader NANCY PELOSI released a statement saying, and I quote, "Democrats have a plan to lower gas prices." Well, Mr. Speaker, here we are tonight, June 3, 2008, over 2 years after NANCY PELOSI, Speaker PELOSI now, announced that Democrats had this commonsense plan to help bring down skyrocketing gas prices. The average retail price of gasoline is \$3.99 for a gallon of regular. That is what I paid last night to fill up my car, a 25-gallon tank. It cost me almost \$100.

Mr. Speaker, this is something that the American people can no longer afford. I don't know what this comprehensive plan the Speaker had in mind when she spoke to us in January of 2007 for the very first time, I don't know what that comprehensive plan was, but I darn sure know what the results of the plan was. The result is gasoline prices at the pump for regular have gone up more than \$1.65 a gallon. Some plan. The proof of the pudding indeed is in the eating.

There are some things that I want to point out in regard to some of the plans that the Democrats have had in regard to lowering these gas prices and a nationwide average of \$3.98 a gallon; in my district, \$3.99. Here's some of the things that maybe they proposed to bring down the price of a gallon of regular gasoline. Sue OPEC? You save nothing. Launch the seventh investigation into price gougers? You save nothing. Launch the fourth investigation into speculators? You save nothing. Twenty billion dollars in new taxes on oil producers? Increasing the debt. Halt oil shipments to the strategic petroleum reserve? Maybe save a nickel a gallon.

On the other hand, Mr. Speaker, my colleagues, the Republican plan to lower gas prices: Bring United States offshore oil drilling, ANWR, saving anywhere from 70 cents to \$1.60 a gallon. Drilling in ANWR. My colleagues talked about that. Probably an additional 1½ million barrels of petroleum a day from that source.

Bring United States deepwater oil on line. Out of the Outer Continental Shelf is what we are referring to. That

could save anywhere from 90 cents to \$2.50 a gallon. Bring new oil refineries on line. Our good friend from Ohio, Representative LATTA, pointed out that we haven't had a new oil refinery or a nuclear power plant license in this country in over 30 years. That could save 15 cents to 45 cents a gallon. Cut earmarks to fund a gas tax holiday. That could save 18 cents a gallon. Again, we agree with the Democrats on this one. Halt the oil shipment to the strategic petroleum reserve, saving a nickel a gallon. Our plan, the Republican plan, my colleagues, in a very conservative way, would save at least \$1.98 a gallon; \$1.98 a gallon. The Democrat plan, at most, a nickel a gallon.

Well, let me just tell you one thing that they did, the Democratic majority, Mr. Speaker, in their energy bill of 2007. There is a section in that bill, a section called 526. Basically, what it says is no agency of the Federal Government, no agency of the Federal Government can utilize a source of energy production that creates a bigger carbon footprint than conventional fuel, conventional gasoline and diesel fuel. They are absolutely not permitted to do that.

Now I want, Mr. Speaker, and all of my colleagues, I want you to think about the consequence of that. The Federal Government on an annual basis utilizes something like 480,000 barrels of refined petroleum products; 480,000 barrels.

□ 2030

I am sorry, that is a day. I said annually. That is a day, 480,000 barrels. And which branch of the Federal Government uses the most of that? Obviously, the Department of Defense. And which branch of the Department of Defense, which service branch, uses the most of that? The United States Air Force, flying the platforms that we have to maintain the security of this country. Almost 480,000 barrels. It is estimated, Mr. Speaker, that the Air Force will spend an additional \$9 billion for that fuel in the year 2008, fiscal year 2008, because of these rapidly increasing prices of oil.

Now, that bill though says they can't go out and utilize anything other than that liquid petroleum we all think about bubbling up out of the ground. Yet in this country, my friend from Texas referred to it, Representative CARTER, is something called shale oil that his grandfather told him about.

Shale oil, Mr. Speaker, is mainly in the West, in several Western States, and the total amount of additional petroleum that could be gotten from that shale oil is something like 3 trillion barrels of refined products. Yet we are not allowing the agencies of our Federal Government to utilize these sources.

Tomorrow in the Science Committee, of which I am a member, the NASA Subcommittee will be marking up the reauthorization of NASA, the National Aeronautics and Space Administration.

They do research on shale oil, on oil sands, another product that is very plentiful in Canada. A lot of oil could be gotten from that. They are doing that research. They are sharing that research with the Department of Defense, and yet they are not able to utilize any of that additional oil. The amount that we could get from shale oil is equivalent to the amount that we have probably utilized in the world over the last 100 years. That is how much capacity we are talking about.

Those are the sort of things we can do to bring down the price. I could go on and on, but the gentleman has been very generous with his time and I want to yield back to him. But we need a comprehensive plan that includes nuclear, that includes the use of these alternative sources of petroleum products, like oil sands and shale oil. And until we get together and do this on a bipartisan basis, the American public is going to continue to suffer.

I yield back to the distinguished gentleman.

Mr. BARTON of Texas. I thank the gentleman. I want to point out he needs to change his sign. He has his "9" upside down. If you subtract 5 cents from \$3.98, you get \$3.94 or \$3.93. You don't get \$3.63. He has his "6" and "9" down there.

Mr. GINGREY. I thank the gentleman for calling that to my attention. We will make that change.

Mr. BARTON of Texas. Mr. Speaker, I think you begin to get the point we are trying to put across this evening. America has got great energy resources. We are not using those resources right now. For various political reasons, we have put them off limits.

We are not allowing any exploration or production in ANWR in Alaska. We are not allowing any exploration or production off the West Coast of the United States. We are not allowing any exploration or production off the East Coast of the United States. We are not allowing our shale oil resources to be developed in the interior of the United States. We are not developing our coal resources with the clean coal technology that the gentleman from Ohio spoke about. So we are a victim of self-inflicted wounds in this country.

I would like to say that it can't get any worse, but it can. I was just on a congressional delegation that visited Europe. We went to Slovenia and to Italy to interact with the European parliament and then toured some NATO bases in Italy. They are paying the equivalent of \$9 a gallon for gasoline, \$9. So even though we think \$4 a gallon is way too high, there are other parts of the world that are paying double what we are paying.

If our energy prices continue to go up, there will be consequences. General Motors just announced yesterday they are closing four of their automobile assembly plants in this country. Ford Motor Company, one of the icons of American industry, their stock is selling at almost an all-time low, at least

a modern era all-time low. They just divested part of their company. They sold it to an Indian automobile company. The higher prices go, the more uncompetitive America is in world markets and the more Americans are thrown out of work. It is kind of a self-propelling cycle.

We need to do something about it. The good news is that we can do something about it. We have the ability more than any other Nation in the world to produce our own energy for consumption here in the United States. American-made energy for American families and factories is a doable deal. It is not a pipe dream. But we have to start in this Congress.

Now, we have a package of 15 energy bills that have been introduced at various times in this Congress. They are active. They have bill numbers. The Speaker of the House and the majority leader and the chairwoman of the Rules Committee and the chairman of the Energy and Commerce Committee and the chairman of the Ways and Means Committee could schedule these bills for committee action, could schedule these bills for floor action and bring them to the floor.

It wouldn't bother me a bit if the Speaker wanted to bring these to the floor under an open rule; let Members of both political parties go to the Rules Committee and have amendments made in order. Let's have a full, fair, open debate in committee, the Rules Committee and on the floor of the House of Representatives.

Some of these bills would probably pass on a suspension calendar if they were brought to the floor. Some of the bills would be very controversial. The access bill, opening up ANWR, H.R. 6107, would be a close vote, no question about that, but I think a majority of the House of Representatives would vote in the affirmative to let us develop an energy resource that could have as much as 10 billion barrels of oil in it. On a daily basis that would be somewhere between 1 and 2 million barrels per day with existing technology, if we were to make the decision to let that go and to start producing it.

We have a shale oil reserve bill. We have an alternative fuel for defense and aviation bill. Mr. GINGREY talked about that. We have a coal-to-liquids bill that is Mr. SHIMKUS' bill that has a Democrat sponsor, Mr. BOUCHER, the subcommittee chairman of the Energy and Air Quality Subcommittee of the Energy and Commerce Committee. We have a renewable fuel standard bill that would take the renewable fuel standard back to the 2005 Energy Policy Act. We have a bill to encourage new refineries, Congresswoman HEATHER WILSON's bill. We have a bill on speculation that was introduced by myself. We have a boutique fuels bill, H.R. 2493, introduced by our Republican whip, Mr. BLUNT. We have a bill that provides for some tax provisions by Mr. TERRY of Nebraska. We have some bills on nuclear energy. We have an Outer

Continental Shelf bill that has been introduced by Congresswoman MYRICK of North Carolina.

I could go on and on. The point I am trying to make is we have American energy resources that could be developed and I think should be developed. We are not hopeless, we are not helpless, but right now we have a majority that, for some reason, has decided that it is okay for American citizens to pay these high energy prices, and, as I said earlier, if we sit here on our hands and do nothing, the prices are going to go up and up and up, which is not a good thing for our economy.

Mr. Speaker, with all due respect, we are planning a series of special orders. We are going to continue to try to educate the American people on the energy situation. But we are not just out here complaining and whining and bemoaning our fate. We have a positive solution that, if implemented and sent to the President and signed into law, would begin to bring immediate results in the terms of additional energy resources and lower energy prices.

Let's work together. As Daniel Webster says in the saying above the Speaker's rostrum, let us develop the resources of our land, call forth its powers, build up its institutions, promote its great interests, and see whether we also in our day and our generation can do something that will be seemed worthy to be remembered by future generations.

THE STATE OF HEALTH CARE IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes.

Mr. BURGESS. Mr. Speaker, I came to the floor of the House tonight to talk, as I frequently do, about the state of health care in this country and some things that may be on the cusp of change and some things that will never change. But I want to start off tonight by talking about what is going to happen to physicians across this country on July 1st, less than a month from now, as far as their Medicare reimbursements.

Now, you may recall I was on the floor of the House last December talking about the need for addressing the reduction of reimbursement rates for physicians across the country. The best we could come up with on the floor of this House was to stall that 10.7 percent reduction in reimbursement for Medicare patients. The best we could come up with was to stall that for 6 months' time. We told ourselves at the time that this gives us a little more time that we can work on a solution that is more meaningful. We want to work on a bigger and grander solution.

But, Mr. Speaker, what has happened? The days and months have ticked by, and now we are less than 4 weeks away from that day when physi-

cians will wake up and find that their reimbursement for seeing a Medicare patient is now 10.9 percent less than it was the day before.

Is this really a big deal? Well, yeah, it is a big deal, because everywhere across the country currently new Medicare patients call up physicians' offices trying to be seen and they find the same situation over and over again. They can barely get the word "Medicare" out of their mouths before they are told by that physician's office that we are not taking any new Medicare patients. And why? Why is that happening? Because of the activities, or, in this case, the inactivity of the United States Congress, of the United States House of Representatives.

It is imperative, it is imperative that we address this issue. It is imperative that we address it in a forward-thinking way so that we solve the problem once and for all and we don't have to come back here year after year and face the same problem over and over again, or, as is the case this year, every 6 months and face the problem over and over again.

I have advocated for such a fix many different times on the floor of this House. It has been very difficult to get colleagues on both sides of the aisle to embrace this concept and understand that we must move forward from where we are now. We need a short-term, mid-term and long-term solution to this problem.

What have we done? Again, we find ourselves just about to go over the cliff, just about to fall over the precipice, where once again we tell the Medicare patients of this country that we don't care about them. We tell the physicians who are seeing Medicare patients in this country that we don't value your service and we are going to hit you with a 10.7 percent cut. And that is not the end of it. December 31st, there will be another 5 percent reduction, so a grand total of 15 percent in reduction of Medicare reimbursement before we reach the end of this year.

Mr. Speaker, can you imagine any other business going into their banker and saying, you know what? I have got a great business plan here. I am going to start a business, or expand my business, because, after all, a physician's office is a small business. I am going to go into business or expand my business, and here is my business plan. And the banker looks at it and says, I see it says here you are going to earn 15 percent less this year than you are earning next year on each patient interaction. How in the world could you expect to be able to maintain your business with this type of business plan?

□ 2045

Reality is this type of business plan would not fly anywhere in this country, and yet we are asking over and over again our doctors, our clinics, our health care providers to live under this regimen.

Now, when I address the need for a short-term, mid-term, and long-term

solution, let me just lay out for you what I have in mind. The short-term solution is available to us right now. We could delay these cuts to the Medicare reimbursement rate. We could do that by passage of a simple measure that was introduced the last week of May, H.R. 6129. This is a bill that is fully paid for, fully paid for and would forestall the 10.7 percent cut July 1, and the 5 percent cut December 31, to February 1. That is not a great length of time, but it allows us a little more time to work on this problem, actually gets us past the first of the year so that we get to the organization of a new Congress. And maybe, if we did our homework and did our legislative work before we all went home and campaigned for reelection, maybe if we did that work in July and August and September of this year, we could actually have ready to go a package for the new Congress to pass shortly after the first of the year that would deal with this problem.

But it is a paid for solution. It doesn't expand the deficit. It actually uses the same mechanism that was used by the Medicaid moratorium that we all passed. I think there were 300 favorable votes for that Medicaid moratorium on the floor of the House a few weeks ago. This is the same mechanism of taking the money out of the physicians assistance quality initiative to pay for this fix on the physicians payment. It would not expand the deficit, and it would get us passed the first of the year.

The cuts that are looming ahead of us under a formula called the sustainable growth rate formula are going to be significantly pernicious, not just to keep our doctors in business, but to keep our doctors seeing our patients, our Medicaid patients, arguably some of the most complex patients there will be in any medical practice because they have multiple simultaneous conditions.

We are going to prevent those patients from having access to a physician because we are telling the doctors that we don't value their service, and we are telling the patients that we don't value their ability to have access to their doctors who prescribe their treatments, who offer those treatments that are going to keep them living longer and healthier lives.

And there is an unintended consequence to this as well. The unintended consequence is that many of the private insurance companies across the country actually peg their rates to what Medicare reimburses. So they have a contract that says we will pay, in the case of TRICARE, 85 percent of the Medicare usual and customary. In the case of some of the other private insurers, it is a little more generous, they pay 110 percent or 115 percent of Medicare rates. But all of those rates are going to be reduced when Medicare rates in turn are reduced if we don't act by the first of July. And actually, the way things work in Washington, if

we don't have something pretty concrete on the table by the middle of June, the Center for Medicare and Medicaid Services is going to be required to go ahead and put forward their rules and regulations for when this new fee schedule goes into effect July 1.

And make no mistake about it. We can tell ourselves that, oh, we will have time to come back in July and fix this and we will make it retroactive. But we don't make it retroactive for the private insurers who peg to Medicare. And the reality is we are talking about such small volumes on every explanation of benefits that comes through the physician's office that it becomes extremely tedious and time consuming and expensive to track all of these and make certain that the government makes good on its promise and comes back and delivers that.

And how do I know this? I know this because when our side was in charge with the passage of the Deficit Reduction Act right at the end of 2005, because of a technical problem we didn't get actually the bill passed until the first part of January of 2006, and as a consequence the language in the Deficit Reduction Act that would have prevented a programmed reduction in Medicare reimbursement rates, that did not go into effect until well into the month of January 2006. And, again, we had to come back and retroactively make all of these practices whole. And just as a practical matter it becomes very, very difficult for the doctor's office to keep track of that and make certain that in fact those reimbursements were brought up to speed.

The other aspect of this, the mid-term and the long-term aspect, and I have advocated for this for some time. We need to pass legislation that will put us on a path to repeal the sustainable growth rate formula. This is a formula that year over year reduces the rate at which physicians are reimbursed. The reality is Congress almost never sees that through. We always come in and do something to keep our doctors from having to sustain those large cuts in their practice. But every year we come up against this precipice, we come up against this cliff, and every year the doctors' offices are having to make plans for their future. Do they buy new equipment? Do they hire a new partner? Do they bring on additional personnel? Well, they can't tell because they don't know what we are going to do to them in Medicare at the end of the year or, in this case, in the middle of the year.

So we need a method of repealing the sustainable growth rate formula. We have all discussed this. The cost associated with the repeal of that from the Congressional Budget Office is high. So what I have recommended in the past is we put ourselves on a path; we put ourselves on a trajectory to repeal this formula, do it over a couple year's time, get some savings in the meantime to offset that cost. And we all know that those savings are built into

the system and they are accruing every day. But rather than having those savings go to part A of Medicare, let's hold them in part B and reduce the cost of repealing the sustainable growth rate formula. And then ultimately, in 2 years' time or so, repeal the SGR formula once and for all and put the Nation's physicians on what is called the Medicare Economic Index.

This is not a formula that I derived; it was created by the Medicare Payment Advisory Commission, the MedPAC Commission several years ago, and it is essentially a cost of living adjustment, the same cost of living adjustment that hospitals receive, the same update that insurance companies receive, the same update that drug companies receive. Let's put part B, the physician's part of Medicare, on that same level playing field with the other participants in part A, part C, and part D of Medicare.

So I did want to get that out there. I encourage my colleagues to look at H.R. 6129. This is an important piece of legislation. It is a rope to throw to the Nation's physicians and patients that are already on their way over the cliff. It is a cliff that we created for them. We gave them the push over the edge. The least we can do at this point is to offer them a little bit of help so that they don't come crashing down at the bottom of that cliff.

Now, the reality is this is only for 7 months' time. This does not take any of the heat off of any of us, that we still need to work on that long-term solution. I actually offered this particular bill as an amendment to the Medicaid moratorium a few weeks ago in committee, and I was told, oh, no, no, no, we can't do that; because if we do that, then the people who might be working on solving this problem will know that the pressure is off and they don't have to work on it. I beg to differ. The pressure will still be on. The mid-term and long-term solutions still are out there to be had, and it will be incumbent upon this Congress, particularly here we are going into an election year, Do you want to go home and talk to your doctor groups around in your district and say: You know what? We just didn't think we had the time to fix this problem that you all are up against, so shortly after I am sworn in next year you will be looking at a 15 percent reduction in your payment rates. And, do you really want to go home and talk to your patients, who already call up their physician's office and say, I am sorry, I am not taking any new Medicare patients; do you really want to go home and face those patients in your town halls when they find out that you didn't lift a finger, you didn't lift a finger to keep this from happening when we all knew it was coming? We knew it was coming last December, and the best we could do was 6 months is the best we can manage. We knew it was coming all spring. We know it is coming now.

Let's fix this. This short-term solution is paid for. It is not going to ex-

pand the deficit. No tax increase has to result. It is there. The money is there. We took the money from the same place that the other side took the money for the Medicaid moratorium. Let's take that money and fix this problem short term, and then get on about fixing it long term.

Mr. Speaker, the real reason I came to floor tonight until this other problem took precedence was to talk a little bit about an event we had up here on Capitol Hill about 2 months ago now, and it was done to capture some of the successes that are happening out there in the real world as far as it relates to delivery of health care in this country. This was a symposium that was held on April 8 of this year, was done in conjunction with the Center for Health Transformation. Many people will recognize that organization. This is the organization that was founded and is still run by the former Speaker of the House, Newt Gingrich. He was very kind and generous with his time that day and came to this meeting over in the Rayburn Building, and we talked a little bit about some of the things that are working out there in the real world. Because, after all, Mr. Speaker, do we really want to give up a measure of our freedom in this country? And that is what it would entail if we go to a much more restrictive type of delivery of health care in this country.

Freedom is the foundation of life in America, and unlimited options, unlimited opportunities are something every single one of us on both sides of the aisle takes for granted and will embrace when we give our talks at home, whether it be on Memorial Day or Independence Day. We like to talk about how the freedom of America makes us the greatest country on earth.

Freedom is transformative. Freedom is the basis for what we should be doing when we look at how we can transform the Nation's health care system. And innovation goes hand in hand with those choices.

Come to think of it, Mr. Speaker, when I was a youngster in medical school many, many years ago, I would have never thought we would have seen the day where you could go on the Internet, just an average person, you don't need a doctor's order, you don't need a ton of money; you can go on the Internet and get your human genome sequenced for you individually for less than \$1,000. Never when I was in medical school would I have thought you would be able to go on the Internet and get such information. In fact, I wouldn't have known what the Internet was when I was medical school because Al Gore hadn't invented it then. At the same time, today you can go and get that information. We are putting that information in the hands of patients, which then they are going and sharing with their physicians. And this is powerful information for the individual to have.

The New York Times in October of 2006 published a piece by Tyler Cohen

when he talked about the ability to innovate and how it has made American medicine really the envy of the world. Seventeen of the last 25 Nobel Prizes have gone to American scientists working in American labs, and four of the six most important breakthroughs in the last 25 years have occurred because of the research of American scientists, things like the CAT scan, coronary artery bypass, statins for reduction of cholesterol. In fact, the National Institutes of Health will tell you statistics that 800,000 premature deaths from heart disease have been prevented in the last 25 years because of innovation that has in part been developed by the National Institutes of Health and then part developed by the private sector in this country.

So it is truly a good news story, and the reality is America is not done. We are not done with the advancements in medicine. The next generation of breakthroughs, I already alluded to what is happening with the human genome. Look at the speed with which information is now processed and transferred and disseminated. Who would have ever thought that we would be in this phase of rapid learning in which we find ourselves currently. This is truly likely to be the golden age of medical discovery. And the breakthroughs that occur have been a result of the environment that has fostered and encouraged competition and choice.

It doesn't mean we can't make a good thing better. It doesn't mean that everything about our system is perfect. But certainly, when we look at ways in which we might change the system, for heaven's sake, let's not do things that will harm the innovation that our system has brought us. American ingenuity prospers when we strive to be transformational. The reason we can be transformational is because of the degree of freedom we have. Remember, freedom is transformational.

So when we are advancing toward a goal and we are not focused on the transaction like we do with our Medicare reimbursement; when we are focused on the goal of being transformational, that is when good things can happen. But the present debate in Washington is focused on dollars and cents, and we are not focused on the transformational. We are not even looking at ways where we can fundamentally enhance the interaction that occurs between the doctor and the patient in the treatment room. We are simply looking at ways of moving dollars around on a balance sheet, and we do that and we think we have done a good job. And, again, I reference what has happened with the Medicare physician reimbursement rates that are going to go down so much in just a few weeks.

Mr. Speaker, I am one of the few policymakers on Capitol Hill that has also spent a lifetime in health care. For 25 years before I came to Congress, I had my own practice. I have sat in exam

rooms with patients, I have looked them in the eye, I have taken a prescription for them and counseled them as to risks and benefits and costs and written a prescription. I figured out how to build my business, how to expand my business. I figured out how to build my business in lean economic times back in the 1980s in Texas. I figured out how to expand my business in good economic times in the 1990s in Texas. I figured out ways to pay my employees and keep the lights on. But, again, if we don't have a commonsense approach to these health care issues, our solutions are going to be far short of the mark.

This experience gives me the practical knowledge to play some role in the development of this policy.

□ 2100

I think this comes in handy because, as we change health care in this country, we want to be certain that we do it in a way that allows health care to still be delivered in this country.

And there's widespread recognition that things need to change. There's different ideas as to how to accomplish it. The good news is that, regardless of what happens tonight, there is going to be a fundamental referendum on health care in this country come November, because whoever prevails on the Democratic side, of course Senator MCCAIN on the Republican side, the views are distinct from each other, and it is going to give the American people a clear choice about the direction to go in health care. One is focused on more government control, and one is focused on more patient control. I'll give you a guess as to which side that I would come down on.

And again, policymakers are focused on change, and the people who care for patients, the people who are involved in their practices, they need to be involved in this discussion as well because, in truth, health care begins and ends partly with patients, but truly with the people who are involved in the delivery of that health care, and specifically I reference physicians and nurses, hospital administrators and other health care personnel will figure into that equation. But those are the individuals who have to be involved in this grand national debate we're going to have about health care transformation in this country over the next 5 months.

And many of my friends who are health care professionals don't realize the critical role that they must play in shaping the health care debate. They must be active, they must be engaged, or otherwise you're going to be forced to sit on the sidelines and play by the rules that other people are going to make for you.

And again, I reference the earlier part of my discussion. You see, the rules that we'll come up with here in Washington, DC, those rules are, let's take 10.7 percent away from our doctors this month, and in 6 months let's

take another 5 percent away from them, and then we'll figure something out in the meantime.

Well, I will just tell my friends who are involved with the delivery of health care, whether it's in Washington, whether it's at home in Texas, you need to be involved. You've got to act before all you can do is react. And if health care professionals don't lead, then we'll have to accept what the health care prescription is that is given to us by the people who sit in this body, the people who sit on the other side of the Capitol, whoever sits in the White House.

It doesn't make sense to have a body that is what, two-thirds lawyers, making all of the decisions about how the doctors are going to practice in this country.

One of the possible prescriptions that's out there, one of the things that I find very problematic is expanding the government role for health care.

Mr. Speaker, if I were to pose a hypothetical question, what is the largest single payer government health care system in the world? Well, you know what? It's right here in the United States of America. Our Medicare and Medicaid and all of the other systems that are involved and administered by the Department of Health and Human Services accounts for pretty much 50 cents out of every health care dollar that is spent in this country. That means 50 cents out of every health care dollar that's spent in this country originates right here on the floor of the House of Representatives. And I would just ask you, are we doing such a great job?

I reference my earlier remarks about what's happening to the Medicare system if we don't do something within the next 4 weeks. Are we doing a great job with what we control currently?

Now, the government can play a role by encouraging coverage and maybe help incentivizing and encouraging the creation of programs that people actually want. Rather than forcing them into a government-prescribed program, what if we build something that actually brings value to people's lives and offer that as an alternative as we try to expand access to health care and health care coverage in this country.

And the good news is we actually have a model within the very recent past that has worked, and worked very well, and that is the Medicare Part D program which began in this Congress my first year here in 2003, and rolled out on January 1, 2006. And as a consequence, now, 90 percent of the seniors in this country have some type of coverage for their prescriptions. Contrast that to when I took office and that number was somewhat below 60 percent. So that has been a good thing. It has moved in a positive direction.

Well, what do people think about this program that has now been in effect for a couple of years? Well, current polling shows about a 90 percent satisfaction rate with Medicare Part D. So that's a

good news story. We've got 90 percent of the people covered. We've got 90 percent positive ratings with various polls.

Well, what about the cost? We heard a lot about the cost on the floor of this House as we debated that bill and in the aftermath after that bill was passed, but the reality is when we passed that bill in the House, the Center for Medicare and Medicaid Services projected the cost per enrollee per month to be about \$37.50. The reality is, the cost currently is about \$24.50, and it has been stable over the time that this program has been in effect.

So here's a Federal program that, yeah, it has been a joint public/private partnership, but 90 percent coverage, 90 percent acceptance rate, and came in at a cost two-thirds of what was originally projected. I would say, from the limited time I've had here in Washington, that's the definition of a success story with a Federal program.

So 29 people are enrolled as of 2007, and the average cost is less than \$24 a month. The first Federal program to rein runaway medical spending by restoring savings incentives and leveraging the power of that public private competition.

So overall, some of the best things that government can do is, when they recognize that there's a problem in say the delivery of health care or even in arenas such as health care information technology, we can kind of set the stage and tell people what our expectations are, and then get out of the way. Don't put a lot of regulation. Don't put new causes for liability out there. Get out of the way, and let the private sector do what they do best, what they do every day of the week. If we can do that by creating the right environment to let the private sector deliver the kind of innovation, the kind of cost savings and the type of quality that realistically has been delivered to other industries over and over and over again, if we can do that then maybe we have done something worthwhile.

You know, these are the same market forces that took us from a single black rotary telephone to these fancy electronic devices that all of us carry with us 24 hours a day now. We cannot imagine being without our iPods and iPhones and BlackBerrys. But it wasn't too many years ago, in fact, the year I started in private practice where it was a single line black rotary telephone, and we thought it was the height of high technology when we got those little push buttons on our phone.

Look at the change that's happened in aviation in literally what has been now the first century of aviation, going from the type of plane that the Wright brothers flew to the Boeing 787 dream liner that is coming on-line now. We have seen fantastic change.

I already mentioned the inventor of the Internet, and in the short period of time, we've come to the age that's brought us things like iTunes and YouTube, things that most of us now

would find indispensable. If someone said we're going to take this away from you, we'd say that's not a good idea. We'd rather the government wouldn't do that.

But here's the secret. Here's the deal. The free market is delivering this same kind of value every day, day in, day out. Innovation and efficiency are hallmarks of what they're able to do. So why not? Why not allow them to participate in this grand plan that we call transformation of the Nation's health care system?

I've experienced it, and I'm excited about experiencing more of it and learning more about it, both as a legislator and as a professional in medicine.

But I just have to tell you, this past fall, Health Affairs did a symposium in downtown Washington, and I went to that symposium. I largely went because Dr. Mark McClellan was going to talk about his experiences with the Medicare program, Medicare Part D Program. Dr. Elias Zerhouni was going to talk about his experience with the National Institute of Health. But I had really no intention of sitting and listening to Ron Williams talk about—the new CEO of Aetna talk about what was happening within Aetna because I thought, well, Aetna's one of those private insurers who really, as a provider, we've oftentimes been at odds. But I listened to Dr. Zerhouni and I listened to Dr. McClellan. But it was Ron Williams who really talked about the biggest changes that are coming in medicine, particularly in the arena of health information technology, and the things that he was talking about were truly transformative.

So my question to him later was to ask why is—what would you require, what is the environment that you require to be able to do these great things that you're talking about? And he outlined perhaps a program where there would be some certainty as to what the privacy regulations are.

We all talk about privacy in this body. We're going to have a hearing about it tomorrow. But does anybody really understand what we mean when we say we want some privacy provisions? What about the STAR clause that prevents a hospital from putting a computer line in a doctor's office? Is that really a good idea as we go forward with wanting to develop more and better situations where we can have advancement in health information technology? Is that truly such a good idea?

Maybe we would do better if we relaxed some of the regulations, if we provided some certainty in the areas of liability, provided some certainty in the area in the definition of things like privacy, maybe that would be a better way to go about it.

During that discussion with the CEO of a large insurance company, he talked about things, about the different algorithms they've developed purely from using financial data, no clinical data involved, but the types of

anticipation that they could now have about very expensive diseases that they might have to pay for and the clues they could get very early on in the process of this, and how they might be able to moderate or modify activities so that they didn't have to pay for that very expensive care at the end stage of the disease, they could actually work on that at an earlier stage and not only prevent the large expenditure for the more expensive disease, but also improve the quality of life because, after all, we're increasing the amount of time that a person has in a state of relative good health.

Another company that I talked to recently talked about a new test they're going to have for a disease called preeclampsia, pregnancy-induced hypertension. When I was in practice, and even just a few years ago, if you saw a patient where you were worried that this might be happening, about the only option you have was to put the patient in the hospital and observe them over time and see whether this was a real phenomenon or just a one-time event. But the price you paid for being wrong was severe, and certainly could result in severe injury to the patient and/or her baby. So we always erred on the side of caution with that.

But now there may be a new blood test that will elucidate very quickly whether someone is truly at risk for this problem, or if perhaps this one indication of elevated blood pressure was just an outlier, and, in fact, they aren't truly at risk for this problem. This would be a tremendous tool to put in the hands of clinicians. And look at the savings, not just in eliminating some of the unnecessary hospitalizations, but making certain that the people who really need the intensive care get that intensive care and get the intensive observation and scrutiny that their particular situation demands.

And a recent study out of Dartmouth outlined how hospitals can deliver better care and do a better job at a lower cost by embracing some measures of efficiency. This study demonstrated that Medicare could save as much as \$10 billion a year if all United States hospitals followed the example of the most efficient hospitals. These facilities didn't cut costs at the expense of patient care, but focused on better coordination of care and better avenues of communication between doctors and specialists and better avenues of communications between hospitals.

Now, again, earlier in the month of April I was fortunate to co-host a panel with former Speaker Newt Gingrich which focused on some of the real world examples of success in health care transformation. And Mr. Speaker, I'll just tell you, it's no secret to people in this body that former Speaker Gingrich is a real leader when it comes to leading the charge for change in the arena of health care. He's involved in a great many other things, but certainly, in the arena of change in health care, former Speaker Gingrich has really

pushed this to the forefront, and has really—I am so grateful for his involvement in that, and his bringing new ideas and new people to the table on a constant basis that help us, are going to help us evolve into this system that we all would like to think that we can help deliver to our country.

Now, he brought in several companies that demonstrated how free market choice and competition can lead to more options at a lower cost, when it comes to health care. And let me just share a little bit about what we learned that day. Since there weren't many Members who were able to attend, let's talk a little bit about some of the companies that are relying on innovation to save lives and save money and to actually save time in the process.

Overall, there was agreement that we can get better results with what—we don't have to pay more money. With the money that we're paying right now, we can get better results by actually engaging patients in their own care. And you know, this goes back to what Dr. Zerhouni has talked about at the National Institute of Health.

Because of what we've learned about the human genome, medical care is going to be personalized to a level that no one ever thought about before. You're going to be able to know, no longer will it be a course, a question of, well, we're going to try this particular medication because we'll see how it works. If it doesn't work, we've got an alternate.

□ 2115

You will actually know that beforehand because of knowing about a person's genetic makeup. So medicine will become a great deal more personalized.

Because of that, it's going to be also, it's going to be, of necessity, focused on prevention. We know what diseases you're at risk for so we're going to recognize that and focus on the preventive aspects of that. And as a consequence, it has to become more participatory. That is, the patient can no longer simply be a passive recipient of health care services and the expense of health care doctors. The patients themselves need to be involved in the maintenance of their health and the decisions surrounding the delivery of health care.

Now, in industry circles, this is what is known as consumer-directed health care, consumer-driven health care. The goal of consumer-directed health care is to kind of eliminate the middleman, in our case the government, or it could be the insurer in the private sector who tries to find their way in as a wedge.

Remember I talked about that fundamental interaction between the doctor and patient in the treatment room? What of the barriers to enhancing that relationship? Well, it can be the government, it could even be a private insurance company. If we can somehow remove the middleman, number one, the patient will not be so insensitive, so anesthetized as to the cost of their care; and they will be more in tune to

the benefits that can accrue to them should they work harder on participating in their own health care.

If people are anesthetized, Mr. Speaker, they're anesthetized to the true cost of health care. All they want to know is when and if they can see their doctor and what their co-pay will be and if you order expensive tests, like a CAT scan or an MRI, the only question is is it covered; not is it necessary, is it truly something I need, how is this truly going to benefit my care in the future. It's, well, will insurance pay for it, and if it does, do I have to pay a co-pay.

Now, I know from personal experience, and certainly my staff has told me this as well, you know, you receive one of those forms. It's called an EOB, explanation of benefits. You receive one of those from the insurance companies. Most people toss it. It's so confusing. It really has no bearing on reality anyway. It doesn't have anything to do with the ultimate cost or the ultimate bill that was paid either by the insurance company or the individual so most people just simply pay no attention to that; and yet this is the one piece of paper that actually tells the patient what it costs to deliver the care that they have just received.

So that means they're consuming health care services but they're not conscious of the costs. So there's little incentive on their part to modify their behavior to do things better next time, to be active participants in their own health care.

So consumer-directed health care says if people aren't anesthetized, if people are fully awake and fully conscious, they're more likely to make sound and wise decisions about their lifestyle and about maintaining their own health.

Now, there was a McKenzie study that found that consumer-directed health care patients were twice as likely as patients in traditional plans to ask about costs and three times as likely to choose a less expensive treatment option, and chronic patients were 20 percent more likely to follow their outlined regimen very carefully.

Now critics argue that consumer-directed health care will cause consumers, particularly those who might be less wealthy or less well-educated, to avoid appropriate and needed health care because of the cost burden and the inability, the inability to make informed and appropriate choices.

Now, one of the companies that was at the panel we did in April had data that actually contradicted that criticism. The Midwestern Health Care Company introduced a consumer-directed health plan to its 8,600 employees. They also left their traditional PPO, their regular insurance, in place. In the first year, 79 percent of employees chose one of four consumer-directed health plans. These health plans had several important features, but two of those were preventive care was free and employees received financial

incentive to change behaviors like smoking and weight control.

In addition, they also received some incentive to manage chronic conditions like asthma and diabetes, that is, see their physicians at the prescribed time, take the prescribed medicines according to the directions and do the appropriate follow-ups.

So this has been in place for a couple of years. Do we have any statistics, are there any metrics that would indicate an overall direction of improvement? And in fact, 7 percent of health care dollars were spent on prevention compared to a national average of a little less than 2½. So that's a significant increase. And nearly 40 percent of the employees now take an annual personal health risk assessment and earn \$100.

Nearly 500 employees have quit smoking, and as a group, that 8,600 employees have lost 13,000 pounds through weight-management programs.

From a cost standpoint has there been a difference? And the answer is yes. The average claim increase of 5.1 percent in the past 2 years compared with those who are in traditional PPO-type insurance where the claims increased 8 percent. So a 3 percent reduction for an increase in claims activity for people who were taking a more active role in the involvement of their own health care.

This company has a lot of impressive data. Policymakers can, in fact, learn from the example that was brought to us that day. And we can learn from some of the other companies as well.

One of the largest for-profit health insurance companies featured on the panel described their incentive-based health benefit design. Now, they have a plan that is a high-deductible plan. It's a \$5,000 deductible for a family. I don't think anyone would argue that that's a fairly high deductible for a family to have to face if they have an illness. But the good news is that family, with that \$5,000 deductible, and of course they get a break on their premium with such a high-deductible plan, their premium costs less than some of the other plans. So they do save money on the premium.

But also if they're willing to participate in some things like weight control, smoking cessation, cholesterol screening, exercise management, if they're willing to participate in those, they can reduce that \$5,000 deductible in \$1,000 increments down to a \$1,000 deductible with no increase in their premium. So they still have the very low premium associated with a \$5,000 deductible plan, but now they've reduced their deductible to \$1,000 for that family, which is a much more manageable figure.

And how did that they do that? Because they voluntarily enrolled in a smoking cessation plan, they voluntarily enrolled in a plan to measure cholesterol, and because they voluntarily enrolled in a plan to actively manage their weight and increase their

exercise. So positive things that the individuals can do themselves that result in an actual benefit as far as the insurance expenditure is concerned.

Now, there were also some very positive results from some of the other consumer-directed health care options. 88 percent of health savings account holders carried a balance from 2006 into 2007. That means they didn't spend all of their money that was set aside for health care expenditures, and they were actually able to carry that forward into the next year. And you can imagine doing that year over year over year along with the miracle of compound interest, as long as you start young, that can be a powerful way to put some savings in place for payment for health care later on.

I actually say this from personal experience. I was one of the first people to get a medical savings account. This Congress, under the leadership of former chairman Bill Archer of the Ways and Means Committee, passed a medical savings account bill in 1996. In 1997, I signed up for one. I had it until I came to Congress at the beginning of 2003, and that money now sits there and grows year in and year out and is a substantial amount of money that is now available for treating health-related conditions well into the future. That is a powerful tool to put in the hands of someone. And the actuality is the earlier you start, the more powerful is that concept.

So 88 percent of health savings account holders had a carryover balance from 2006 to 2007. And the average balance among people who were judged to be of low income was almost \$600, \$597 on average. So that's not insignificant.

Now, how many Americans are encouraged to live healthier lives and to conserve their health benefits like these individuals that we've just described? People that are making personal decisions about prevention and lifestyle and managing chronic conditions and cost. Most people with other private health insurance are not because there is no reason for them to. They just simply pay their insurance premium every month. They hope that they don't have to use it. They hope that their health is not threatened and they have to rely on this insurance company, and if they do, they hope that they will in fact be covered when that illness strikes.

In fact, Mr. Speaker, within my own family, I have a youngster who teaches school. He teaches middle school there in Denton, Texas. Once I said, You know, you have gotten to an age where you need to think about preventative health care. You need to think about going to see the doctor once a year for a physical and having some lab work done and having a few things checked. He said, I don't need to do that. I thought he was going to tell me because he was young and indestructible. He said, I don't have to do that because they came to our school and did a bunch of blood tests and told me I was fine.

I said, What do you mean they came to your school and did a bunch of blood tests? He said, Yeah. If we went out and had the nurse draw our blood, they would actually give us \$20 a month off of our health insurance premium, and I did the math. That's \$240 a year. I'll take that in exchange for having a little blood work done.

How forward-thinking for this independent school district to provide that type of service. That way if someone in fact does have an elevated cholesterol but it's entirely silent and they have no idea that they have it, that person can be identified and have some treatment started that will prevent the problem down the road. And in fact if there are no problems, then the school district also benefits because they know they have a very healthy workforce, and they are very fortunate to have a very healthy workforce working for them.

But the closet diabetic, the person with high cholesterol that is otherwise not known, the person with other medical conditions that is otherwise not known, the person with even illnesses that would lead to electrolyte imbalances may be discovered by those types of screening tests.

So this, all in all, is a good thing and a way for, yes, the independent school district to save money on some of those higher dollars, just like the CEO at Aetna described, being able to save money on those higher-dollar diagnoses by paying a little bit of money on the front end to, in this case, to elucidate those conditions, and then if they are found, to encourage that person to perhaps seek some treatment for that.

So there is, of course, a quote that we're all familiar with about the fundamentals of learning being reading, writing, and arithmetic. Perhaps for Congress our fundamentals for health care should be risk, responsibilities, and rewards. And if we will focus on those—after all, on both sides of the aisle, who can be opposed to more care, lower cost, better quality? I mean, how can you be opposed to those three things? That's what we all talk about in all of these lofty terms about what we're all for.

Well, let's be for that. Let's be for that and ensure that we put the tools in the hands of the American people so that they can actually participate themselves in the blessings that the American health care system is likely be able to provide for them in the years to come.

So, that's the right prescription for health professionals, and it's the right prescription for them to push for when it comes to real system reform, and it's the right prescription for Members of Congress to subscribe to as well.

So let me just finish by once again stressing the importance that we've got some immediate work in health care ahead of us. Forget all of the stuff that's going to happen in the presidential election. If we don't fix this problem with the Medicare physician

reimbursement rate, if we don't fix or stop those cuts that are going to go into place in just a few weeks time, then a lot of this discussion will be for naught because we will have driven doctors out of practices and we will ensure that patients don't have access to care of any type. Whether it is expensive care, whether it is quality care, it doesn't matter. We will just have ensured that our Medicare patients don't have access to that care.

So I do urge my colleagues to please pay attention to this. Look into whatever bill you want. I urge to you look into H.R. 6129, which is a paid-for short-term solution to the cliff about which we're fixing to go over the edge. And I do want to encourage my colleagues to focus on this because this is extremely important. This is important to the doctors and patients back in your district.

Nothing is more personal to a person than their medical care and their relationship with their physician, and this hits right at the heart of that relationship if we allow these cuts to go into place and oh, yeah, by the way, there's another 5 percent reduction where that came from waiting for you at the end of the year.

□ 2130

Make no mistake about it, Mr. Speaker, this is a presidential election year. All eyes tonight are going to be on what is billed as the last presidential primary, and then we'll start the fall campaign literally tomorrow morning.

Make no mistake, it's going to be difficult for things to rise to the top of the national discussion, which is why I encourage my colleagues to take the time and trouble now to look at this legislation, look at H.R. 6129, do the right thing and get behind this bill, if you can, and let's deliver to the Speaker of the House of Representatives a significant number of cosponsors, 200 or 300 cosponsors, so that we will actually get this legislation done in what remains of the days between now and the 4th of July break. And perhaps we can also, too, get some attention over in the other body on the other side of the Capitol so they will take this up as well.

There's probably no more important thing, perhaps with the exception of passing the Foreign Intelligence Surveillance Act, but there's probably no more important or intense piece of legislation that we can take up these next 4 weeks. This is an immediate concern. This is a clear and present danger to the physicians who practice in this country and the patients who depend on those physicians for their health care, the access for those patients to their physicians. This is the number one issue of this Congress this month, and we should not shirk our responsibility.

Please, let's don't do what they did in December and just simply walk away from this responsibility. Let's

take charge of this. We have it within our power to affect this.

Again, this is a paid-for provision. This is not going to expand the deficit. It doesn't create a tax increase. It doesn't take money away from anyone else. This is the right thing to do. And this Congress, this Congress ought to stand up and do the right thing when it comes to the patients and the physicians of this country.

On the larger issue of the health care referendum that we're going to be facing in this country, I urge my colleagues to listen very carefully to the arguments that are going to come from both political parties as we go into the fall presidential election. Please remember that that which grows the government side of health care may not be in the best interests of patients in the long term. And those programs that tend to encourage the involvement of the private sector and tend to encourage the participation of the patient in the maintenance of their own health care, those are programs that are likely to deliver value and allow us to continue what has been the greatest health care system the world has ever known.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ELLISON (at the request of Mr. HOYER) for today.

Mr. KANJORSKI (at the request of Mr. HOYER) for today on account of personal reasons.

Ms. MCCOLLUM of Minnesota (at the request of Mr. HOYER) for today.

Mr. PEARCE (at the request of Mr. BOEHNER) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFazio, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, today and June 4, 5, 6, 9, and 10.

Mr. JONES of North Carolina, for 5 minutes, today and June 4, 5, 6, 9, and 10.

Mr. DEAL of Georgia, for 5 minutes, June 4.

Mr. BURTON of Indiana, for 5 minutes, today and June 4, 5, and 6.

Mr. BROWN of Georgia, for 5 minutes, today and June 4.

Mr. BURGESS, for 5 minutes, today.

Mr. McCOTTER, for 5 minutes, June 4.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today and June 4, 5, and 6.

Mr. TANCREDO, for 5 minutes, today.

Mr. KUHLL of New York, for 5 minutes, today and June 5.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1965. An act to protect children from cybercrimes, including crimes by online predators, to enhance efforts to identify and eliminate child pornography, and to help parents shield their children from material that is inappropriate for minors; to the Committee on Energy and Commerce.

ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker on May 22, 2008:

H.R. 2356. An act to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day.

H.R. 2517. An act to amend the Missing Children's Assistance Act to authorize appropriations; and for other purposes.

H.R. 4008. An act to amend the Fair Credit Reporting Act to make technical corrections to the definitions of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act.

Ms. Lorraine C. Miller, Clerk of the House, further reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by Speaker pro tempore, Mr. HOYER, on May 27, 2008:

H.R. 6081. An act to amend the Internal Revenue Code of 1986 to provide benefits for military personnel, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 2829. To make technical corrections to section 1244 of the National Defense Authorization Act for Fiscal Year 2008, which provides special immigrant status for certain Iraqis, and for other purposes.

S. 3029. To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

S. 3035. To temporarily extend the programs under the Higher Education Act of 1965.

S.J. Res. 17. Directing the United States to initiate international discussions and take necessary steps with other nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House, reports that on May 23, 2008 she presented to the President of the United States, for his approval, the following bills:

H.R. 2356. To amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day.

H.R. 2517. To amend the Missing Children's Assistance Act to authorize appropriations; and for other purposes.

H.R. 4008. To amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act.

ADJOURNMENT

Mr. BURGESS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 33 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 4, 2008, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6830. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes [Docket No. AMS-L&RRS-08-0015] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6831. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Avocados Grown in South Florida and Imported Avocados; Revision of the Maturity Requirements [Docket No. AMS-FV-07-0054; FV07-915-2 FR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6832. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Sorghum Promotion, Research, and Information Order [Docket No. AMS-LS-07-0056, LS-07-02] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6833. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Dairy Promotion and Research Program; Section 610 Review [Docket No. AMS-DA-08-0004; DA-06-04] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6834. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Peanut Promotion, Research, and Information Order; Amendment to Primary Peanut-Producing States and Adjustment of Membership [Docket No.: AMS-FV-08-0001; FV-08-701 IFR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6835. A letter from the Administrator, Department of Agriculture, transmitting the

Department's final rule — Olives Grown in California; Decreased Assessment Rate [Docket No. AMS-FV-07-0155; FV08-932-1 FIR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6836. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2008-2009 Marketing Year [Docket Nos. AMS-FV-07-0135; FV08-985-2 FR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6837. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Onions Grown in South Texas; Increased Assessment Rate [Docket No. AMS-FV-07-0151; FV08-959-1 FR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6838. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California; Change in Reporting Requirements [Docket No. AMS-FV-07-0095; FV07-983-2 FR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6839. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California; Change in Reporting Requirements [Docket No. AMS-FV-07-0095; FV07-983-2 FR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6840. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California; Changes in Handling Requirements [Docket No. AMS-FV-07-0082; FV07-983-1 FIR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6841. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida; Section 610 Review [Docket No. AMS-FV-07-0017; FV07-905-610 Review] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6842. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Increase in Fees and Charges for Egg, Poultry, and Rabbit Grading; Correction [Docket No. AMS-PY-08-0030; PY-06-002] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6843. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Milk in the Appalachian and Southeast Marketing Areas; Correction [AMS-DA-07-0059; AO-388-A22 and AO-366-A51; Docket No. DA-07-03-A] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6844. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Karnal Bunt; Removal of Regulated Areas in Texas [Docket No. APHIS-2007-0157] received April 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6845. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting notification of the review and certification of the Joint Air-to-Surface Standoff Missile (JASSM) program, pursuant to 10 U.S.C.

2433(e)(1); to the Committee on Armed Services.

6846. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John F. Sattler, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6847. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement Vice Admiral Paul E. Sullivan, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6848. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement Vice Admiral Kevin J. Cosgriff, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6849. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Robert D. Bishop, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6850. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Christopher A. Kelly, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6851. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General David F. Melcher, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6852. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General James M. Dubik, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6853. A letter from the Secretary, Department of Defense, transmitting a letter on the certification of Lieutenant General Philip R. Kensinger, Jr., United States Army; to the Committee on Armed Services.

6854. A letter from the Assistant Secretary for Installations and Environment, Department of the Navy, Department of Defense, transmitting notification of the Department's decision to convert to contract the intermediate level ship maintenance support functions; to the Committee on Armed Services.

6855. A letter from the Deputy Under Secretary for Acquisition and Technology, Department of Defense, transmitting a letter on the report required by Section 888 of the National Defense Authorization Act of Fiscal Year 2008; to the Committee on Armed Services.

6856. A letter from the Deputy Under Secretary for Acquisition and Technology, Department of Defense, transmitting the Department's annual report on extensions of a contract period to a total of more than ten years, pursuant to 10 U.S.C. 2304a(f) Public Law 108-375, section 813; to the Committee on Armed Services.

6857. A letter from the Deputy Under Secretary for Logistics and Material Readiness, Department of Defense, transmitting a report on the budgeting of the Department of

Defense for the sustainment of key military equipment for 2008, pursuant to Public Law 109-163, section 361; to the Committee on Armed Services.

6858. A letter from the Assistant Secretary for Installations and Environment, Department of the Navy, Department of Defense, transmitting the Department's decision to conduct a streelines A-76 competition of aircraft maintenance functions at Andrews Air Force Base, MD; to the Committee on Armed Services.

6859. A letter from the Assistant Secretary for Reserve Affairs, Department of Defense, transmitting the National Guard ChalleNGe Program Annual Report for Fiscal Year 2007, pursuant to 32 U.S.C. 509(k); to the Committee on Armed Services.

6860. A letter from the Assistant Secretary for Elementary and Secondary Education, Department of Education, transmitting the Department's final rule — Jacob K. Javits Gifted and Talented Students Education Program — received May 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6861. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Demands for Testimony or Records in Legal Proceedings [Docket ID ED-2007-OS-0138] received May 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6862. A letter from the Assistant Secretary, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Disability Rehabilitation Research Projects (DRRPs) received April 30, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6863. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — State Long-Term Care Partnership Program: Reporting Requirements for Insurers [ASPE/LTCI] (RIN: 0991-AB44) received May 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6864. A letter from the Director, Defense Security Cooperation Agency, transmitting a report submitted in accordance with Section 36(a) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

6865. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 07-08 informing of an intent to sign the Agreement between the Department of Defense of the United States and the Defence Material Administration of the Kingdom of Sweden for Production and Deployment of the Excalibur 155mm Precision Guided, Extended Range Projectile, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

6866. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

6867. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to section 36(b)(5)(A) of the Arms Export Control Act, relating to enhancements and upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 08-25 of 4 December 2007 (Transmittal No. 0B-08); to the Committee on Foreign Affairs.

6868. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-61 concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Australia for defense articles and services; to the Committee on Foreign Affairs.

6869. A letter from the Director, Defense Security Cooperation Agency, transmitting the quarterly reports in accordance with Sections 36(a) and 26(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6870. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the application for a license for the manufacture of significant military equipment abroad and the export of technical data, defense services and defense articles to the Government of Japan (Transmittal No. DDTC 061-08); to the Committee on Foreign Affairs.

6871. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of application of a license for the export of defense articles and services to the Government of Japan (Transmittal No. DDTC 047-07); to the Committee on Foreign Affairs.

6872. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of an application of a license for the export of defense articles and services to the Governments of Russia, Ukraine, and Norway (Transmittal No. DDTC 037-06); to the Committee on Foreign Affairs.

6873. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed manufacturing license agreement for the export of defense articles and services to the Government of the United Kingdom (Transmittal No. DDTC 021-08); to the Committee on Foreign Affairs.

6874. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles to the Government of Georgia (Transmittal No. DDTC 047-08); to the Committee on Foreign Affairs.

6875. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Governments of Russia and Kazakhstan (Transmittal No. DDTC 034-07); to the Committee on Foreign Affairs.

6876. A letter from the Director, U.S. Office of Personnel Management, Office of Personnel Management, transmitting the Office's final rule — Political Activity — Federal Employees Residing in Designated Localities (RIN: 3206-AL32) received May 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6877. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Absence and Leave; Annual Leave for Senior-Level Employees (RIN: 3206-AL49) received April 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6878. A letter from the Chief, Division of Migratory Bird Management, Department of

the Interior, transmitting the Department's final rule — Authorizations Under the Bald and Golden Eagle Protection Act for Take of Eagles [[FWS-R9-MB-2008-0057]] [91200-1231-9BPP-L2]] (RIN: 1018-AV11) received May 22, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6879. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2074; (H. Doc. No. —118); to the Committee on the Judiciary and ordered to be printed.

6880. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2075; (H. Doc. No. —119); to the Committee on the Judiciary and ordered to be printed.

6881. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Civil Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2072; (H. Doc. No. —117); to the Committee on the Judiciary and ordered to be printed.

6882. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Survivors' and Dependents' Educational Assistance Program Period of Eligibility for Eligible Children and Other Miscellaneous Issues (RIN: 2900-AL44) received May 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6883. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Changes for Long-Term Care Hospitals Required by Certain Provisions of the Medicare, Medicaid, SCHIP, Extension Act of 2007: 3-Year Moratorium on the Establishment of New Long-Term Care Hospitals and Long-Term Care Hospital Satellite Facilities and Increases in Beds in Existing Long-Term Care Hospitals and Long-Term Care Hospital Satellite Facilities; and 3-Year Delay in the Application of Certain Payment Adjustments [CMS-0938-1FC2] (RIN: 0938-AP33) received May 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6884. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.602: Tax forms and instructions. (Also: Part 1, 1, 223.) (Rev. Proc. 2008-29) received May 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6885. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 1.482-1: Allocation of income and deductions among taxpayers (Rev. Proc. 2008-31) received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6886. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report concerning the extension of waiver authority for Turkmenistan, pursuant to Public Law 93-618, Subsection 402(d)(1) and 409; (H. Doc. No. —116); to the Committee on Ways and Means and ordered to be printed.

6887. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Medicare Part D Claims Data [CMS-4119-F] (RIN: 0938-AO58) received May 22, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

6888. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Provider Reimbursement Determinations and Appeals [CMS-1727-F] (RIN: 0938-AL54) received May 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on May 22, 2008]

Mr. BERMAN: Committee on Foreign Affairs. H.R. 6028. A bill to authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, and for other purposes; with an amendment (Rept. 110-673 Pt. 1). Ordered to be printed.

[Filed on June 3, 2008]

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 5599. A bill to designate the Federal building located at 4600 Silver Hill Road in Suitland, Maryland, as the "Thomas Jefferson Census Bureau Headquarters Building" (Rept. 110-674). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Concurrent Resolution 311. Resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (Rept. 110-675). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Concurrent Resolution 335. Resolution authorizing the use of the Capitol Grounds for a celebration of the 100th anniversary of Alpha Kappa Alpha Sorority, Incorporated (Rept. 110-676). Referred to the House Calendar.

Mr. ARCURI: Committee on Rules. House Resolution 1233. A resolution providing for consideration of the bill (H.R. 5540) to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network (Rept. 110-677). Referred to the House Calendar.

Ms. SUTTON: Committee on Rules. House Resolution 1234. A resolution providing for consideration of the bill (H.R. 3021) to direct the Secretary of Education to make grants and low-interest loans to local educational agencies for the construction, modernization, or repair of public kindergarten, elementary, and secondary educational facilities, and for other purposes (Rept. 110-678). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on May 22, 2008]

H.R. 6028. Referral to the Committee on the Judiciary extended for a period ending not later than June 6, 2008.

[The following action occurred on May 30, 2008]

H.R. 5577. Referral to the Committee on Energy and Commerce extended for a period ending not later than July 11, 2008.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. KELLER of Florida (for himself and Mr. SCALISE):

H.R. 6167. A bill to amend title 18, United States Code, to strengthen penalties for child pornography offenses, child sex trafficking offenses, and other sexual offenses committed against children; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AKIN:

H.R. 6168. A bill to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. AKIN:

H.R. 6169. A bill to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building"; to the Committee on Oversight and Government Reform.

By Mrs. CAPITO (for herself and Mr. SHIMKUS):

H.R. 6170. A bill to require the inclusion of coal-derived fuel at certain volumes in aviation fuel, motor vehicle fuel, home heating oil, and boiler fuel; to the Committee on Energy and Commerce.

By Mr. DANIEL E. LUNGREN of California:

H.R. 6171. A bill to provide for the establishment of a commission and a national competition to significantly improve the energy efficiency of and reduce emissions from Federal buildings in the National Capital Region; to the Committee on Oversight and Government Reform.

By Mr. RAMSTAD (for himself, Mr. KIND, Mr. WALZ of Minnesota, Mr. KLINE of Minnesota, Ms. MCCOLLUM of Minnesota, Mr. ELLISON, Mrs. BACHMANN, Mr. PETERSON of Minnesota, and Mr. OBERSTAR):

H.R. 6172. A bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for State judicial debts that are past-due; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 6173. A bill to amend the Internal Revenue Code of 1986 to suspend temporarily the excise tax on aviation fuel used in commercial aviation; to the Committee on Ways and Means.

By Mr. WEXLER:

H.R. 6174. A bill to amend part C of title XVIII of the Social Security Act to reduce variation in Medicare Advantage payment rates among counties within the same State within certain very large metropolitan area; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. GORDON, Mr. LEWIS of Georgia, Mr. CHANDLER, Mr. HARE, Ms. SUTTON, Mr. HONDA, Mr. LIPINSKI, and Ms. LEE):

H. Con. Res. 366. Concurrent resolution expressing the sense of Congress that increasing American capabilities in science, mathematics, and technology education should be a national priority; to the Committee on Science and Technology.

By Mr. KENNEDY:

H. Con. Res. 367. Concurrent resolution expressing support for designation of the period beginning on June 9, 2008, and ending on

June 13, 2008, as "National Health Information Technology Week"; to the Committee on Energy and Commerce.

By Mr. SCALISE:

H. Res. 1235. A resolution expressing support for the designation of National D-Day Remembrance Day, and recognizing the spirit, courage, and sacrifice of the men and women who fought and won World War II; to the Committee on Veterans' Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 87: Mr. SOUDER.
H.R. 154: Mr. OLVER and Mr. MARKEY.
H.R. 269: Mr. CARSON.
H.R. 333: Mr. COURTNEY.
H.R. 371: Mr. FILNER.
H.R. 378: Mr. SESTAK.
H.R. 423: Mr. RAMSTAD and Mr. ROGERS of Michigan.
H.R. 503: Mr. CARSON and Mr. ENGLISH of Pennsylvania.
H.R. 621: Mr. MCHENRY.
H.R. 643: Mr. GEORGE MILLER of California, Mr. ARCURI, and Mrs. MCCARTHY of New York.
H.R. 699: Mrs. MUSGRAVE.
H.R. 879: Mr. LAMBORN.
H.R. 936: Mr. CARSON.
H.R. 971: Ms. CLARKE.
H.R. 1017: Mr. CARSON.
H.R. 1073: Mr. OBERSTAR.
H.R. 1076: Mr. ELLISON.
H.R. 1078: Mr. OLVER.
H.R. 1120: Mr. THORNBERRY.
H.R. 1157: Mr. YARMUTH.
H.R. 1185: Ms. HIRONO, Mr. CARSON, and Mr. KUCINICH.
H.R. 1188: Mr. RUSH and Mr. COHEN.
H.R. 1190: Mr. TIBERI and Mr. CARSON.
H.R. 1275: Mr. HINOJOSA.
H.R. 1279: Mrs. NAPOLITANO.
H.R. 1283: Mr. ARCURI.
H.R. 1304: Mr. LARSON of Connecticut.
H.R. 1306: Mr. JONES of North Carolina and Mr. KING of New York.
H.R. 1322: Mr. CARSON.
H.R. 1359: Mr. ROSKAM.
H.R. 1363: Mr. CUELLAR and Mr. LOEBSACK.
H.R. 1439: Mr. HINOJOSA.
H.R. 1532: Mrs. TAUSCHER.
H.R. 1553: Mr. HELLER and Mr. KUHL of New York.
H.R. 1576: Mr. LINCOLN DAVIS of Tennessee.
H.R. 1606: Mr. HIGGINS, Mr. HINCHEY, and Mr. ALTMIRE.
H.R. 1621: Mr. JOHNSON of Georgia.
H.R. 1644: Mr. OBERSTAR.
H.R. 1653: Mr. CARSON.
H.R. 1683: Mr. CARSON.
H.R. 1732: Mr. CARSON.
H.R. 1748: Mr. RUPPERSBERGER.
H.R. 1781: Mr. ARCURI.
H.R. 1829: Mr. SOUDER.
H.R. 1932: Mr. ANDREWS.
H.R. 1940: Mr. GRAVES.
H.R. 1956: Mr. PAUL and Mr. SESTAK.
H.R. 2032: Ms. BERKLEY, Mr. CAPUANO, and Mr. ENGEL.
H.R. 2092: Mr. MCNERNEY, Mr. BISHOP of New York, Mr. STARK, Mr. PALLONE, and Mr. WU.
H.R. 2131: Mr. LEWIS of Georgia and Ms. SUTTON.
H.R. 2154: Mr. BURTON of Indiana.
H.R. 2160: Mr. SHAYS.
H.R. 2164: Mr. HALL of Texas.
H.R. 2183: Mr. WALBERG and Mr. ARCURI.
H.R. 2192: Mr. CARSON.
H.R. 2193: Mr. SESTAK.
H.R. 2241: Mr. GORDON and Mr. CARSON.
H.R. 2244: Mr. PASTOR.

H.R. 2268: Mr. INSLEE and Mr. TIERNEY.
H.R. 2452: Mr. SESTAK and Mr. RUPPERSBERGER.

H.R. 2472: Mr. POMEROY, Mr. REHBERG, and Mr. SIREs.

H.R. 2493: Mr. BARTON of Texas, Mr. DEAL of Georgia, Mr. SHADEGG, Mr. RADANOVICH, Mr. WALDEN of Oregon, Mr. ROGERS of Michigan, Mrs. MYRICK, Mr. WHITFIELD of Kentucky, Mr. WILSON of South Carolina, Mr. PICKERING, Mr. PITTS, Mr. TERRY, Mr. SULLIVAN, Mr. BRADY of Texas, Mr. SAM JOHNSON of Texas, Mr. GALLEGLY, Mr. PEARCE, Mr. MCCRERY, Mr. HERGER, and Mr. KUHL of New York.

H.R. 2514: Ms. MATSUI and Ms. ROYBAL-AL-LARD.

H.R. 2567: Mr. CARSON.
H.R. 2585: Mr. GINGREY.
H.R. 2588: Mr. SOUDER.
H.R. 2606: Mrs. CAPPS.
H.R. 2676: Ms. SLAUGHTER.
H.R. 2694: Ms. JACKSON-LEE of Texas.
H.R. 2864: Mr. KENNEDY and Mr. FATTAH.
H.R. 2880: Ms. FOXX, Mr. LEWIS of Kentucky, and Mr. MORAN of Kansas.
H.R. 2915: Mr. CARSON.
H.R. 2923: Mr. FRANK of Massachusetts and Mr. SCALISE.

H.R. 2994: Mr. MCCOTTER.
H.R. 3042: Mr. VAN HOLLEN and Mr. ARCURI.
H.R. 3094: Ms. HIRONO, Mr. WU, Ms. LEE, Mr. MCDERMOTT, Mr. RODRIGUEZ, Mr. HASTINGS of Florida, and Mr. SALAZAR.

H.R. 3107: Mr. SESTAK.
H.R. 3112: Mr. FRANK of Massachusetts, Mr. ROYCE, and Mr. WELDON of Florida.

H.R. 3232: Mr. DOGGETT, Mr. SULLIVAN, and Mr. COSTELLO.

H.R. 3257: Ms. HERSETH SANDLIN.
H.R. 3267: Mr. DAVIS of Illinois, Mr. RA-HALL, Mr. KILDEE, Mr. BURGESS, and Mr. LEWIS of Georgia.

H.R. 3291: Mr. SOUDER.
H.R. 3334: Mr. MARKEY and Mr. WITTMAN of Virginia.

H.R. 3374: Mr. SESTAK.
H.R. 3423: Mr. KILDEE.
H.R. 3457: Mr. CHANDLER.
H.R. 3479: Mr. LATOURETTE.
H.R. 3544: Mr. PASTOR.
H.R. 3618: Mr. PRICE of North Carolina.
H.R. 3642: Mr. HOLT and Mr. GEORGE MIL-LER of California.

H.R. 3750: Mr. LEWIS of Georgia and Mr. KENNEDY.

H.R. 3753: Mr. BUYER.
H.R. 3785: Mr. PAUL.

H.R. 3812: Ms. ESHOO.
H.R. 3820: Mr. CARNAHAN.

H.R. 3865: Mr. SHAYS.
H.R. 3934: Mr. SCOTT of Virginia, Mr. SAR-BANES, Mr. GERLACH, Mr. BOYD of Florida, and Mr. SHULER.

H.R. 3968: Ms. BALDWIN.
H.R. 4067: Mr. CARSON.

H.R. 4088: Mr. YOUNG of Florida.
H.R. 4105: Mr. KAGEN, Mr. SALAZAR, and Ms. WATERS.

H.R. 4107: Mr. ROTHMAN.
H.R. 4109: Ms. WATERS, Ms. BALDWIN, and Mr. HONDA.

H.R. 4114: Mr. WU.
H.R. 4141: Mr. CARTER and Mr. ANDREWS.

H.R. 4244: Mr. ALLEN.
H.R. 4449: Mr. RANGEL and Mr. DAVIS of Il-linois.

H.R. 4544: Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. ANDREWS, and Mr. INSLEE.

H.R. 4836: Mr. CLYBURN.
H.R. 4926: Mrs. CHRISTENSEN and Mr. ALLEN.

H.R. 4936: Mr. STARK.
H.R. 5085: Mr. SOUDER.

H.R. 5139: Mr. SESTAK.
H.R. 5192: Mr. UPTON.

H.R. 5265: Mr. CARSON, Mr. ALTMIRE, and Mr. ROGERS of Kentucky.

H.R. 5268: Mr. SARBANES.
H.R. 5404: Ms. ROS-LEHTINEN, Mr. THOMPSON of California, and Ms. SPEIER.
H.R. 5405: Mr. KUHLM of New York.
H.R. 5469: Mr. KILDEE.
H.R. 5534: Mr. BLUMENAUER.
H.R. 5536: Mr. GRIJALVA.
H.R. 5546: Mr. DAVID DAVIS of Tennessee.
H.R. 5573: Mr. KIRK, Mr. RENZI, Mr. ARCURI, Mr. MCINTYRE, Ms. LINDA T. SANCHEZ of California, and Mr. CARNAHAN.
H.R. 5580: Ms. WOOLSEY and Mr. MILLER of North Carolina.
H.R. 5606: Mr. DAVIS of Alabama and Mr. PATRICK MURPHY of Pennsylvania.
H.R. 5638: Mr. BUTTERFIELD.
H.R. 5640: Mr. JOHNSON of Georgia.
H.R. 5669: Mr. PAYNE and Mr. DAVIS of Illinois.
H.R. 5673: Mr. PORTER.
H.R. 5684: Mrs. MCMORRIS RODGERS.
H.R. 5734: Mr. CUMMINGS.
H.R. 5737: Mr. HAYES, Mr. LUCAS, Mr. ROGERS of Alabama, and Mrs. MILLER of Michigan.
H.R. 5740: Mr. CHANDLER and Mr. FORTUÑO.
H.R. 5741: Mr. GILCHREST.
H.R. 5747: Mr. PRICE of North Carolina.
H.R. 5748: Mrs. MYRICK.
H.R. 5759: Mr. PLATTS and Mr. STEARNS.
H.R. 5760: Mr. HINOJOSA, Mr. MCHUGH, Ms. ROS-LEHTINEN, and Mrs. CHRISTENSEN.
H.R. 5782: Mr. PLATTS and Mr. DAVIS of Kentucky.
H.R. 5791: Mr. CARSON.
H.R. 5793: Mr. FORBES, Mr. ROSS, Mr. GONZALEZ, Mrs. MCMORRIS RODGERS, and Mr. PICKERING.
H.R. 5797: Mr. HAYES and Mr. SALI.
H.R. 5798: Mr. BISHOP of New York.
H.R. 5814: Mrs. MYRICK and Mr. ROYCE.
H.R. 5821: Mr. ROGERS of Alabama, Mrs. BLACKBURN, Mr. LAHOOD, and Mr. WAMP.
H.R. 5831: Mr. ARCURI.
H.R. 5852: Mr. MOORE of Kansas and Mr. ROTHMAN.
H.R. 5867: Mr. MCDERMOTT.
H.R. 5869: Mr. FARR, Mr. HINOJOSA, and Mr. UDALL of New Mexico.
H.R. 5874: Mr. WAMP, Mr. SMITH of New Jersey, and Mr. BAIRD.
H.R. 5882: Mr. GRIJALVA.
H.R. 5895: Mr. GONZALEZ, Mr. ENGLISH of Pennsylvania, and Mr. BRADY of Pennsylvania.
H.R. 5898: Mr. TOM DAVIS of Virginia, Mr. HINOJOSA, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, and Mr. SAXTON.
H.R. 5899: Ms. HERSETH SANDLIN.
H.R. 5901: Mr. RUSH and Mr. GRIJALVA.
H.R. 5908: Mrs. CUBIN.
H.R. 5924: Mr. ANDREWS, Mr. DAVIS of Illinois, Ms. JACKSON-LEE of Texas, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5950: Mr. NADLER and Ms. JACKSON-LEE of Texas.
H.R. 5954: Mr. MICHAUD, Mr. BLUMENAUER, and Mr. BRADY of Pennsylvania.
H.R. 5960: Mr. COSTELLO.
H.R. 5965: Mr. CARSON.
H.R. 5971: Mr. CAMPBELL of California, Mr. BURTON of Indiana, Mr. HOEKSTRA, and Mr. MCCOTTER.
H.R. 5979: Mr. PLATTS.
H.R. 5984: Mr. WITTMAN of Virginia, Mr. INGLIS of South Carolina, Mr. EVERETT, Mrs. CUBIN, Mr. LAHOOD, Mrs. SCHMIDT, Mr. GARRETT of New Jersey, Mr. LEWIS of California, Mr. PEARCE, and Mr. YOUNG of Florida.
H.R. 5992: Mr. FILNER.
H.R. 5998: Mr. MCHUGH, Mr. ROTHMAN, and Mrs. SLAUGHTER.
H.R. 6020: Mr. GRIJALVA.
H.R. 6026: Mr. PICKERING, Mr. BUYER, Mr. ROHRBACHER, Mr. CANTOR, Mr. PUTNAM, Mr.

AKIN, Mr. CANNON, Ms. FOXX, Mrs. MCMORRIS RODGERS, Mr. MICA, Mr. SOUDER, Mr. TANCREDI, Mr. FERGUSON, Mr. TOM DAVIS of Virginia, Mr. YOUNG of Alaska, Mr. SHADEGG, Mr. MCCOTTER, and Mr. INGLIS of South Carolina.
H.R. 6045: Ms. LORETTA SANCHEZ of California and Mr. ENGLISH of Pennsylvania.
H.R. 6057: Mr. HALL of New York, Ms. SCHAKOWSKY, Ms. LEE, and Mr. DEFAZIO.
H.R. 6073: Mr. BUTTERFIELD and Ms. TSONGAS.
H.R. 6075: Mr. CARNAHAN.
H.R. 6076: Mrs. SLAUGHTER, Ms. SUTTON, Ms. CLARKE, Mr. ELLISON, Mr. JOHNSON of Georgia, and Mr. HONDA.
H.R. 6083: Mr. EDWARDS.
H.R. 6092: Ms. SHEA-PORTER, Mr. CALVERT, Mr. HALL of Texas, Mr. FOSSELLA, and Mr. FEENEY.
H.R. 6098: Mr. DICKS, Mr. BRADY of Pennsylvania, Mr. SHAYS, and Mr. BILIRAKIS.
H.R. 6101: Mr. SOUDER and Ms. JACKSON-LEE of Texas.
H.R. 6102: Mr. SOUDER and Ms. JACKSON-LEE of Texas.
H.R. 6105: Mr. SENSENBRENNER.
H.R. 6107: Mr. CULBERSON, Mrs. CUBIN, Mr. GRAVES, Mrs. DRAKE, Mr. KINGSTON, Mr. HERGER, Mr. MANZULLO, Mr. SESSIONS, Mr. WALSH of New York, Mr. WILSON of South Carolina, Mr. PENCE, Mr. SMITH of Texas, Mr. LINDER, Mr. POE, and Mr. BOUSTANY.
H.R. 6108: Mr. BROWN of South Carolina, Mr. FLAKE, Mr. ISSA, Mr. KUHLM of New York, and Mr. HERGER.
H.R. 6122: Mr. HINOJOSA and Ms. SUTTON.
H.R. 6126: Ms. ZOE LOFGREN of California.
H.R. 6129: Mr. AL GREEN of Texas.
H.R. 6137: Mr. HERGER.
H.R. 6139: Mr. HERGER.
H.R. 6150: Mr. LATTI.
H.R. 6153: Mr. ORTIZ.
H.J. Res. 79: Mr. OLVER.
H.J. Res. 89: Mr. CHABOT, Mr. GINGREY, Mr. HENSARLING, and Mr. CULBERSON.
H. Con. Res. 70: Mr. DAVIS of Illinois, Ms. DELAUNO, Mr. MCGOVERN, and Mr. HONDA.
H. Con. Res. 163: Mr. BOYD of Florida.
H. Con. Res. 195: Mr. SIMPSON, Mr. SULIVAN, Mr. SHUSTER, Mr. LAHOOD, Mr. UPTON, Mr. BOUSTANY, Mr. BONNER, Mr. TAYLOR, Ms. BEAN, Ms. ROS-LEHTINEN, Mr. STUPAK, Mrs. MYRICK, Mr. GINGREY, Mr. MCCOTTER, Mr. SESSIONS, Mr. LATOURETTE, Mr. HULSHOF, Mr. LOBIONDO, Mr. BUYER, Mr. REGULA, Mr. RAMSTAD, Mr. LINDER, Mr. BROWN of Georgia, Mr. TIM MURPHY of Pennsylvania, and Mr. ENGLISH of Pennsylvania.
H. Con. Res. 239: Mr. SMITH of New Jersey.
H. Con. Res. 321: Mr. BOUCHER and Mr. CARSON.
H. Con. Res. 336: Mr. DEAL of Georgia, Mr. MCGOVERN, Mrs. DAVIS of California, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. CARNEY, Mr. PLATTS, Mr. MORAN of Virginia, Mr. FORTUÑO, and Mr. ROGERS of Michigan.
H. CON. RES. 341: Mr. WILSON OF OHIO, Mr. GOODE, Mr. PRICE OF NORTH CAROLINA, Mr. DOYLE, Mr. PATRICK MURPHY OF PENNSYLVANIA, Mr. ANDREWS, Mr. PEARCE, Mr. DINGELL, Mr. AKIN, AND MS. WASSERMAN SCHULTZ.
H. Con. Res. 342: Mr. THORNBERRY, Ms. GRANGER, Ms. GINNY BROWN-WAITE of Florida, and Mr. HALL of Texas.
H. Con. Res. 349: Mr. ENGLISH of Pennsylvania.
H. Con. Res. 350: Mr. FARR, Mr. POE, Mr. BERMAN, and Mr. LARSON of Connecticut.
H. Con. Res. 360: Mr. BRADY of Pennsylvania.
H. Con. Res. 361: Mrs. MYRICK, Mr. GONZALEZ, Mr. ENGLISH of Pennsylvania, Ms. ROS-LEHTINEN, and Mr. CARSON.

H. Con. Res. 362: Mr. BURTON of Indiana, Mr. KLEIN of Florida, Mr. KIRK, Mr. FORTUÑO, Mr. SHAYS, Mr. DAVIS of Illinois, Ms. WASSERMAN SCHULTZ, Mr. BACA, Mr. BRADY of Pennsylvania, Mr. FRANK of Massachusetts, Mr. ROYCE, Mr. WEXLER, Mr. WAXMAN, Mr. ENGEL, Mr. KNOLLENBERG, Mr. CANTOR, Mr. CROWLEY, Mr. ROGERS of Alabama, Mr. MORAN of Kansas, Mr. COSTA, Mrs. MALONEY of New York, Mr. SCOTT of Georgia, and Mr. TOWNS.
H. Con. Res. 364: Mr. BERMAN, Mr. ENGEL, Mr. GUTIERREZ, Mr. GONZALEZ, Ms. SCHAKOWSKY, Mr. FORTUÑO, and Mr. FALEOMAVAEGA.
H. Res. 111: Mr. CASTLE, Mr. LOEBSACK, and Mr. POMEROY.
H. Res. 373: Mr. ANDREWS, Mr. ROTHMAN, and Mr. FRANK of Massachusetts.
H. Res. 415: Mr. FILNER and Mr. SHAYS.
H. Res. 598: Mr. SALI.
H. Res. 648: Mr. KUHLM of New York, Ms. BORDALLO, Mr. SESTAK, Mrs. CAPPS, Ms. JACKSON-LEE of Texas, and Mr. BILBRAY.
H. Res. 672: Ms. SUTTON and Mr. PAYNE.
H. Res. 795: Mr. WAXMAN.
H. Res. 937: Mr. EDWARDS.
H. Res. 977: Mr. BAIRD, Mr. COHEN, Mr. TAYLOR, Mr. DOYLE, Ms. BORDALLO, and Mr. BRADY of Pennsylvania.
H. Res. 1008: Mr. HOLT and Mr. PORTER.
H. Res. 1012: Mr. HARE.
H. Res. 1037: Mr. LEWIS of Georgia.
H. Res. 1042: Mr. TERRY, Mrs. MYRICK, and Mr. WALDEN of Oregon.
H. Res. 1110: Mr. CAMP of Michigan.
H. Res. 1143: Ms. SLAUGHTER, Mr. SHAYS, and Mr. DUNCAN.
H. Res. 1146: Mr. EMANUEL.
H. Res. 1164: Mr. CARSON.
H. Res. 1191: Ms. CORRINE BROWN of Florida, Mr. HINOJOSA, Mrs. JONES of Ohio, Mr. STEARNS, and Ms. ROS-LEHTINEN.
H. Res. 1202: Mr. BUTTERFIELD.
H. Res. 1205: Mrs. DAVIS of California and Ms. SCHAKOWSKY.
H. Res. 1207: Ms. TSONGAS.
H. Res. 1210: Mr. CUELLAR, Mr. PAUL, Mr. MCCAUL of Texas, Mr. SNYDER, Mr. MELANCON, Mr. BARTLETT of Maryland, Mr. BOOZMAN, and Ms. ROYBAL-ALLARD.
H. Res. 1224: Mr. ADERHOLT and Mr. LINCOLN DAVIS of Tennessee.
H. Res. 1225: Mr. HINOJOSA, Mr. ALTMIRE, Mr. PAYNE, Mr. KUCINICH, and Mr. HARE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative GEORGE MILLER of California, or a designee, to H.R. 3021, the 21st Century Green High-Performing Public School Facilities Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

The amendment to be offered by Representative BISHOP of Utah, or a designee, to H.R. 5540, the Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act, does not contain any congressional earmarks, limited tax benefits or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.